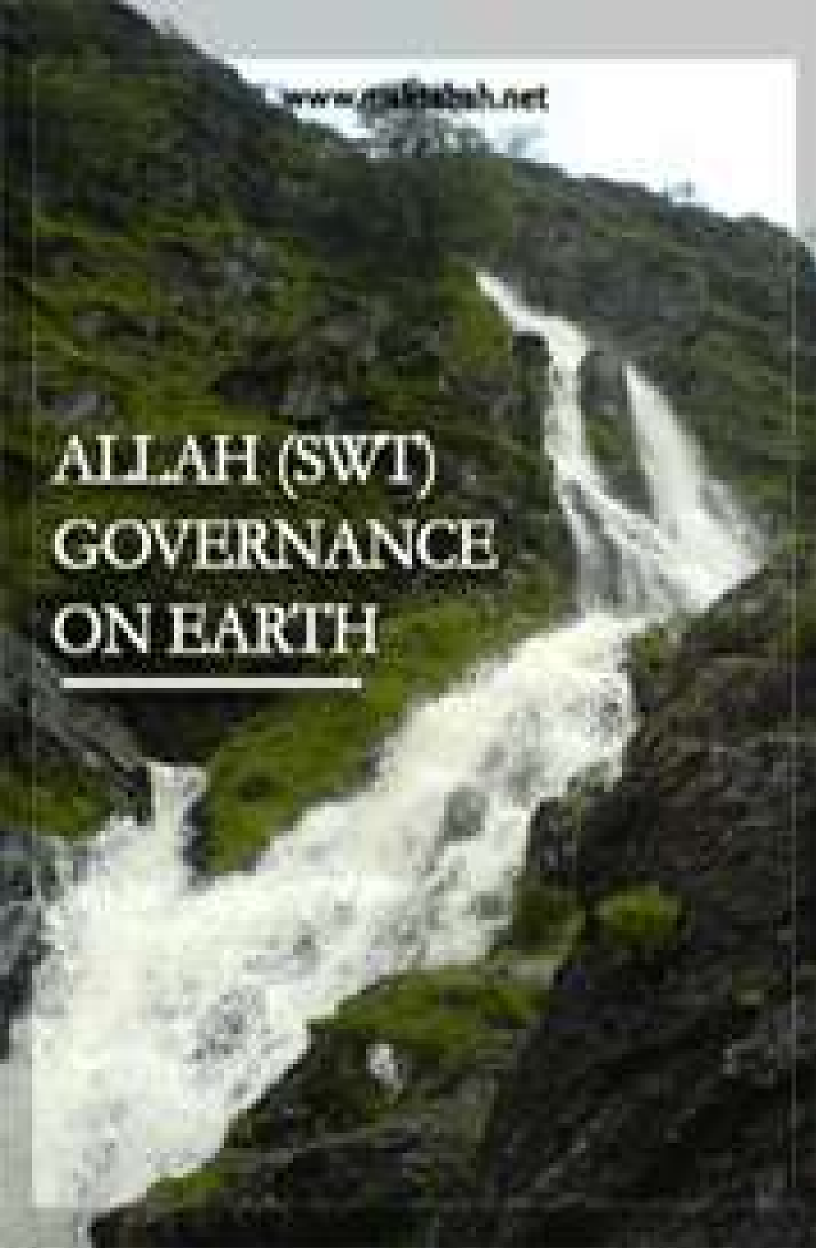

ALLAH (SWT)
GOVERNANCE
ON EARTH

و لقد أهلكنا القرون من قبلكم لما ظلموا و جاءتهم رسلهم بالبينات و ما كانوا ليؤمنوا كذلك نجزي القوم المجرمين. ثم جعلناكم خلائف في الأرض من بعدهم لننظر كيف تعملون

"We already destroyed nations before you, for they did oppression while their Messengers came to them with clear evidences and they did not believe. Likewise, We reward the criminal and pagan people. Then We made you the khalaa'if (rulers and judges) in the Earth after them, so that We could see how you would work." [1]

[1] Surah Yunus, ayaat 13-14

Contents

A Word from the Author

بسم الله الرحمن الرحيم

الحمد لله و الصلاة والسلام على رسول الله

السلام عليكم و رحمة الله و بركاته،

My dear brothers and sisters in Islam,

I hope that you on reading these words are found to be in sound health and strong imaan. Due to the absence of books in English regarding Tawhid-ul-Haakimiyyah it was deemed necessary to put together this large research work on the subject. We were also grieved to find that this subject was not being given the attention that it deserves by shaikhs, maulana's, mosque committees and the average Muslim.

Along with this, and the negligence of the scholars and their adherents in presenting the ails of the Ummah and giving the workable solutions, we saw the impending reality of putting together a research covering the most common controversy today, the Shari`ah and it's implementation.

The idea for this book originated when I attended a debate with an Egyptian shaikh. The shaikh argued that Tawhid al-Haakimiyyah is a bid`ah and that Muslims should concentrate on the five pillars. Unfortunately, the shaikh and his followers did not give us a chance to correct them. Infact, they refused to answer our questions and tried to deceive us. May Allah I give them guidance and stop their evil from the ears of young brothers and sisters who want to work in the cause of Allah I. Since the loss of the Shari`ah, the Ummah has been put through unimaginable trauma, to the point where which ever direction the Muslims turns he only see's new disturbances mounting.

In our age, the evil rulers are obese and engorged with the blood that they have drank from Muslim Ummah, they have abused and plundered the resources and wealth of Muslim nations and built the foundations of their kingdoms upon the skulls of our Ummah, with the skeletons of our people acting as girders and pillars which support the structures of their castles and palaces.

When these tyrants die, they leave their kingdoms to their children, transforming their 'free' and 'democratic' republics

into monarchies. The Shari`ah is forgotten by these people and their ilk.

Only the strong and correct scholars with the Mujaahidin are willing to risk their lives to reinvigorate people with the love of the Shari`ah and the desire for its implementation.

Inshallah, in this book we have tried to make the connection between the classical and the modern scholars with full cohesion, targeting kufr and the people who support it.

The modern struggle of **Tawhid (that being Haakimiyyah)** is of crucial importance in our time. The Shari`ah acts as protection for all the forms of tawhid and the people that are under the banner of tawhid. Losing the Shari`ah results in what we see in our midst today: the disintegration of wealth, morals, family life and the increase of haraam and evil practices such as homo-sexuality, zina, usuary etc.

We have Inshallah, cited enough evidence in this book to fortify the reader with the ammunition for both word and action and as a sword and shield against the knights of dark oppression and their scholars who dilute and change the consensus of Ahl us-Sunnah wal- Jama`ah.

The principles that we found the most important for the Muslims to understand today are the fact of the State of Earth without Shari`ah and all of the maladies that it is undergoing. What must be clarified is also the relationship between the Shari`ah and Mankind as well as the reasons why the Shari`ah must be dominant and the consequences of leaving it.

In recent years, there has been debate regarding the Shari`ah, to the extent that some have denounced the Shari`ah completely infavour of democracy. There have been some among the

Muslim community who have innocently been trapped into the democratic way. This book will Inshallah give an explanation on which opinion the reader should be taking regarding these people in addition to explaining the way that Muslims should handle democracy.

What is Tawhid-al-Haakimiyyah? Is it a bid`ah? What did the companions say about implementing Shari`ah? Why is Haakimiyyah important? These questions amonst others will be answered by reading the book and Inshallah the reader will realise the sheer importance of Shari`ah and it's implementation.

In conclusion, we would like to give our special thanks to the correct shaikhs of tawhid for raising the real sword against the bid`ah of our time.

These scholars of our time whom we refer to are described by Allah I,

من المؤمنين رجال صدقوا ما عاهدوا الله عليه فمنهم من قضى نحبه و منهم من ينتظر و ما بدلوا تبديلاً

'Amongst the believers are men who have been truthful with Allah in what they pledged to him. Some of them have passed away, and some are still waiting. And they have never changed even slightly.' [2]

Scholars of tawhid such as Al `Allamah Muhammad ibn Ibrahim, Al `Allamah Muhammad al Amin ash-Shanqiti, Al`Allamah Ahmad Muhammad Shaakir and his brother Al `Allamah Mahmud Shaakir, Shaikh Sayyid Qutb, Shaikh `Abdullah `Azzaam and Shaikh Hasan al-Banna رحمهم الله and the scholars who are alive today that are representing the struggle

[2] Surat ul-Ahzaab, ayah 23

such as Shaikh `Umar `Abdur-Rahmaan, the thousands of shaikhs and students of knowledge who have been imprisoned in the Arabian Peninsula struggling to support the Shari`ah and the Mujaahidin, Shaikh Usaamah ibn Laadin, Abu Muhammad al-Maqdisi and many others حفظهـــم الله we thank them and give them respect for their stand regarding tawhid. We make du`aa to Allah I to grant these men the highest place in Jannah.

Finally, I would like to thank all of the brothers for their effort and hardwork in compliling this book.

May Allah I accept our work, effort and make our intention for his sake. May Allah I make our intentions for His sake, remove our weakness and make us supporters to one another in His cause. Amin

Your brother in Islam,

Abu Hamza

INTRODUCTION

بسم الله الرحمن الرحيم

الحمد لله والصلاة والسلام على رسول الله.

All praise belongs to Allah I, we praise Him and seek His help; we ask for His forgiveness and seek His refuge against the evil of our own souls and of our deeds. Whoever He Y guides, none can misguide him, whereas whomever Allah I leads astray can never find any guide.

We bear witness that there is no god except Allah I, the One and the Only God, Who has no partners, and that Muhammad ρ is His Servant and Messenger. The best words are Allah's I and the best guidance is the guidance of Muhammad ρ.

The worst evil is innovation in religion; every innovation is an error, and every error will end up in the Hell-fire.

يا أيها الذين آمنوا اتقوا الله وقولوا قولاً سديداً يصلح لكم أعمالكم ويغفر لكم ذنوبكم ومن يطع الله ورسوله فقد فاز فوزاً عظيماً

"O you who believe! Fear Allah, and make your utterance straightforward, that He may make your conduct whole and sound and forgive you your sins: He that obeys Allah and His Messenger has already attained the great victory." [3]

يا أيها الذين أمنوا اتقوا الله وكونوا مع الصادقين ما كان لأهل المدينة ومن حولهم من الأعراب أن يتخلفوا عن رسول الله ولا يرغبوا بأنفسهم عن نفسه ذلك بأنهم لا يصيبهم ظمأ ولانصب ولا مخمصة في سبيل الله ولا يطئون موطئاً يغيظ الكفار ولا ينالون من عدو نيلاً إلا كتب لهم به عمل صالح إن الله لا يضيع أجر المحسنين

[3] Surat ul-Ahzaab, ayaat 70-71

"O you who believe! Fear Allah and be with those who are truthful. It was not fitting for the people of Madinah and the Bedouin Arabs of the neighbourhood, to stay behind Allah's Messenger, nor to prefer their own lives to his: because nothing could they suffer or do, but was reckoned to their credit as a deed of righteousness,

"Whether they suffered thirst, or fatigue, or hunger, in the Cause of Allah, or trod paths to anger the Unbelievers, or gain any gain from an enemy. For Allah will not cause the reward of those who do good to be lost."[4]

[4] Surat ut-Tawbah, ayaat 119-120

THE STATE OF EARTH WITHOUT SHARI`AH

Today the world which we all live in is in its' most extreme phases of turmoil. We look to the horizon and we are unsure of the future. Some have stated that the earth cannot sustain the ever-increasing population. Others are saying that arable land is scarce, thus widespread starvation is inevitable for many countries. Due to this and other reasons, countries are waging war for land and over border disputes. Whilst in the safety of their parliaments other countries are funding these wars and jockeying for position. If we read any newspaper we are told that a war has started either over land disputes, food, water, and basic human rights.

In the absence of Shari`ah, the worlds problems are summarised by the following points:

i) Natural resources that are being consumed at an alrming rate and the mis-use of these resources.

ii) The international laws of the kuffar are being implemented on the Earth, ie. Capitalism, socialism, and communism amongst others. These laws are created by the elites of society for the benefit of themselves and to ensure that they elite group remains in that position.

iii) Pollution is a serious problem as harmful toxins permeate into the soil and are absorbed into the atmosphere. Consqently the water supply as well as the human food chain is now contaminated.

iv) Constant warfare has made the worlds surface a permanent battlefield. Unexploded missiles and bombs, canisters of poisoneous gas and landmines remain in forgotten warzones. Today in Afghanistan the United Nations estimate that over six million

landmines are still unexploded as a result of the unsuccessful Russain invasion. Many thousands of innocent people mainly children are maimed and killed.

v) As a consequence of war, famine, pestilences, gambling, alcohol and drug abuse many women and children are left homeless. This weak and often oppressed group are left to the mercy of the usury sytem, prostitution, drugs and other evil practises. Infact rates of prostitution, obscentity, sexual disease and sucide rates are globally on the increase.

vi) Food is now scarce in many parts of the world including areas that for thousands of years were abundant in crops and now only produce sand. Furthermore, as urbanisation is on the increase and rural communities diminish in number the level of food production decreases. Consequently, in many cities around the world food shortages are a common occurance.

vii) Genetic engineering in now dominating science, farm animals, arable crops, medicines and human organs have now all fallen victim to scientific abuse. Our entire existence has permantly been changed and our way of life and human nature is now threatened with the advent of cloning and DNA technology.

THE ABUSE OF NATURAL RESOURCES

Many of the necessities of our day-to-day life are taken for granted by us – not because we are content with life or that we are doing well in life but infact those who are in charge of the education sytem have conditioned us to be ungrateful. We use

and abuse resources without considering the right of Allah I, the rights of others and much less the right of Earth .

Food, water, mineral compounds and fossil fuels are totally abused.

First issue. Humans consume a large quanitities of food daily. However, even more food is wasted by individual's restaurants, hotels, homes, farm and manufacturing companies. A very simple example is the Mcdonalds chain of restaurants which have raised their ugly image virtually in every country in the world. Mcdonalds throw away vast quantities of food daily from excess cooking. Some may be given to various charities or to homeless people but the majority of the 'leftovers' are simply thrown away. This coupled with waste from other food establishments is then thrown away. Refuse companies then simply either incenerate the food, use it as fertiliser, animal feed or dump the food in landfills. Therefore millions of tonnes of food globally is destroyed and yet millions of people are either without regular food or are suffering from malnutrition. Many large commercial food manufactures have a policy to throw excess food away as they do not believe it is commercially viable to distribute food fre to those who are less fortunate .
Infact, in Western countries and especially in Europe terms such as butter mountains, milk lakes and grain mountains are common. These terms are used to explain excess food production resulting in vast rerserves of milk, flour, butter and cheese which is annually destroyed rather than sold cheaply or given to poorer nations. Western economists would arge that by destroying this food they keep the financial markets stable and actually sustain economic growth whereas infact this policy only leads to the death of millions of poor people around the world.

Thus, their greed has clouded their ability to understand that they are wasting great amounts of food without reason. This

wastage is not only the food but the attractive packaging used to market this food. Millions of acres of trees are destroyed annually so that paper can be provided for packaging as well as millions of acres of woodland is destroyed so that the conglomerates can fatten their ' beef-burger 'herds.

Second issue. Water is wasted by us in many forms. From simple tasks such as brushing ones teeth or taking a bath/shower wastes large quantities of water whereas in reality only a buckets quantity will suffice.

Many industries throw away their waste into rivers and into the oceans including toxic and poisonous waste. The extremes of these is visible in Austria where 40,000 gallons of cyanide (a dangerous chemical that kills if ingested in small dosages) used in mining to extract gold and silver from the earth inadvertently leaked into the Danube River.

Due to the negligence of a few, the majority living near the Danube River must suffer. The people living around theb Danube have water delievered to them in tankers, hundreds of species of flora and fauna are now extinct in the river and if the contaminated water is touched it results in instant buring. In Britain it was discovered in 1992 that some fish in UK rivers were now infertile whereas other fish had become heomaprodites (having characteristics of both the male and female species) due to pollution. In the Pacific Ocean, there have and millions of tonnes of septic and toxic waste as been piped into the sea. On some global coastlines the water is too dangerous to swim in let alone to drink. All of these terrible incidents only happen because water and it's presence is taken for granted.

Third issue. This problem here encompasses all the other above-mentioned issues. The situation with our natural resources has us looking for alternatives to fossil fuels. The rush to plunder the earts resources has not stopped since the early 1900's . Strip mining gold and silver from the crust of the earth causes great catastrophic disasters (ie the Danube river), Once the gold, silver, tin, zinc etc is removed hugh craters are left in the earths surface. Nothing is left to hold the rock and soil in its place and the actual crust of the earth weakens. Tectonic movements increase and sites around the world where landslides and earthquakes were unheard of suffer these natural disaters with unprecendented frequency.

The soil of the earth is being misused. Rather than letting the land rest after a certain amount of harvests, the land is worked into exhaustion, until the soil loses all of its nutrients. This results in soil hardening and eventually becomes barren. To slow this process more fertiliser and chemicals are added to the soil thus causing an increase in pollution and damaging the natural cycle of soil.

Fossil fuels are mined and drilled at an alarming speed to increase production. This causes permanent damage to countryside, the sea-bed and the atmosphere.

Alternative energies exist such as hydro, solar, wind and electricity, but the petro-dollars and stockmarkets prevent their widespread use.

2. *INTERNATIONAL LAWS*

International laws are made by a handful of men but touch the lives of the world's entire population. For it is the legislation from the people in authority that make it possible for the protected classes (rulers, industrialists, wealthy businessmen etc) to commit the act of pollution and destroying the earths resources. Infact, Individuals who try to stop pollution are are arrested and charged with various crimes. For example protestors from the environmental pressure group Greenpeace have been arrested and imprisoned for trying to stop French vessels dumping toxic waste into the North Sea. In extreme cases protestors and scientists with a conscience either retire early are found dead in mysterious circumstance. These laws are manifested upon three issues:

1. Laws that are originate from a certain ideology, such as Socialism, Capitalism, Communism, Democracy, etc.

The laws that come from the minds of men have brought great tragedies to the world. This small blue planet has suffered more unrest at the hands of men than any other creation of Allah I. The battle between the monarchies and the constitutional states led to the First World War. The Communists as well played a part, as socialism entered on the world stage around the same period. These wars perfected trench warfare that left huge numbers of people dead, maimed and even the soldiers who returned home never fully psychologically recovered. The total casualties for this first war left 37,000,000 people dead, most of who went to their graves only to receive the tidings of a greater torture to come. The fierce war between Christian based National Socialism in Germany, Fascism in Italy and Buddhist based Fascist Japan on one side of the axis and the Democratic and Socialist regimes on the other side, known as the Allies brought us the Second World War.

In addition to the warfare brought by these brutal regimes, the aftermath was equally horrific. One in thirty two Frenchmen were dead and one in sixty four Germans had been killed. The worldwide death toll ballooned up to the figure of 55,000,000. *And for what?* After the wars people were still poor and starving, colonisation projects continued, and the countries not participating in the war were used as a back yard for training and death camps. Economic hardship was still the prevalent in countries such as Korea, who after the Second World War was sucked dry of natural resources by the Japanese.

One of the largest reasons for the Japanese bouncing back from defeat in war so quickly was the use of Korea as a waste receptacle. The economy was siphoned off and the Japanese profited handsomely. This was not just the case with Korea, but other nations throughout the war also suffered from foreign aggression. Old bunkers were left over after the war and even today, people have been maimed by old mines and bombs. Refugees were made to scurry from city to city, country to country unable to sleep in their own lands as the powers decided to redraw the borders and countries of the earth. Some countries disappeared altogether whereas some countries were created and still others came under the dominion of larger, international bullies.

2. Laws that are a combination of religion and secular law.

In Muslim countries today we have governance laws that are a combination of Islamic laws and secularist kaafir laws. This has put confusion in the hearts of the Muslims as to what Islam really is.Islamic law has been cloaked and overshadowed by foreign law. The people find in some Muslim countries that the hand gets cut for theft and they find in the same country, banks that loan interest and scholars that sanction it. The people then

begin to wonder, *'Is interest halaal (lawful)?'* After they pass this point, the people begin to indulge in interest as the scholars of Islam have allowed it. Due to the fact that many of these people are poor, they are not able to understand that any large loans that they take will have to be repaid, as well as the interest with them. As they get more into debt, they become unhappy. Regimes like this eventually arrest them and the family is made to bear the burden of whatever the extortionate amount of interest on the debt has been accrued.

As others get into debt, they turn to drugs and intoxicants to forget about reality and thus social problems increase, as the problems increase, so does the drug use, as the drug use increases, crimes and thefts increase as the drug users have to fund their habit. Consequently, prison numbers increase, prostitution increases as women have to fund their habits , child abuse increases and the spiral of degredation continues. All of these things are a result of man-made law being combined with divine lane and used for governance. The people become confused at the actions of the rulers, and in following them, society begins to head backwards – the only increase in society is crime, murders and a moral decline.

3. The nature of these laws and why they sometimes match the law of Allah I.

When these mixed law systems exist, there will be incidents when the law will match the Divine Shari`ah and will be in complete agreement with what Allah I has revealed. There will also be occasions when the law not only be opposes the legislation of Allah I, but is antagonistic towards it. An example of a law that coincides with Shari`ah is the law of the American judiciary system, the individual in court is presumed innocent until the evidence is established against him.

However, in this same law, we will find that the way the law is used to prove innocence or guilt is completely different to the methodology of the Shari`ah. In cases such as mass murder, rape or theft, human judgement is brought in to decide the punishment. The grave mistake is that the judgement for these crimes has already been spelled out years ago in the laws of Allah I. Thus the principle in the beginning is lop-sided; bringing a sort of 'unjust justice' to everyone involved in it.

The nature of such laws is to protect the interests of the conglomerate countries and the nations of today that behave more like corporations than sovereign territories. These laws not only provide the justification but also sanctify the vile actions committed by society.

However, when an action occurs using these very laws which is detrimental to the ruling elitepowers who have created the system - then these laws which are championed so vehemently are either abandoned, ignored or changed. A classic example of this occurred in the Algerian elections of 1992. The Muslim party was heading for a landslide victory and all of the opinion polls had them leading by as much as 80%. The elite powers then quickly scrapped the elections, changed the constitution and created new laws so that their powerful positions could not be threatened again. Tactics such murder,arson, rape and violence was used by the government to implement their new laws – The very same tactics were used which prior to the election were condemened and were illegal.

When these earthly laws are implemented, the harm that they bring in their wake cannot begin to be fully measured and understood. There are so many consequences that result from judging by man made laws that an entire book could be written on the subject.

3. POLLUTION

We are surrounded by the immense changes taking place in nature and the ever changing form of the earth. These changes have come for no reason other than the consequences of pollution. Today, pollution is like a great plague that has infected the planet. This plague is infecting the earth by air, water and soil.

Air Pollution.

The aerosol and fluorocarbons that are used in spray cans, fridgeration units etc are absorbed into the atmosphere. The molecules of these chemicals finally reach their destination when they have finally drifted to the top layer of the atmosphere (ozone layer) is reached. Here a chemical process occurs which results in erosion of the atmosphere causing 'holes' in this protective layer. An example of this is visible over the Antarctic where pollution has caused a permanet gaping hole. This process leads to rising water levels, global warming, higher rates of skin cancer and various other unnatural occurances. In some aeas, a different phenomenon takes place. In Los Angeles, the ozone in the area actually dropped down over the city over time and now appears as a yellow fog over the entire city. Another result from the pollutants in the atmosphere is acid rain. Acid rain not only destroys buildings and vegetation it also contaminates our drinking water supply. As the body is comprised of 75% water it is not suprising to see why internal disorders, mental illness, infections and unusal diseases have increased by drinking water.

To go along with these changes, we are also finding that air quality is poorer in certain countries and cities and in some cases, can actually be life threatening. These sad cases all come

from people who have the ability, but will not spend the time to repair the damage that they have done.

1. The water supply has been polluted.

The soil of *Point two.* Although we have already made mention of the issue of water twice, it cannot be stressed enough the vital role that it plays. Farmers that use dangerous pesticides on crops are not observing the full picture and course of events. When the farmer uses the pesticide, some of it seeps into the actual soil itself. When it does this, it burrows through every crack and crevice in the earth and goes into the earth's water tables, which are **AGAIN**, another source from where we derive our drinking water.

This is the same location where wells get their water. For such a simple mistake as this, whole towns and cities have been poisoned. With the water in this condition, it is not fit for animal, much less human consumption. Thus it has been the case that many a well has had to be filled up with dirt and closed off. People who depend on these wells as their only source of fresh water are now left without this blessing. What type of ignoble crime has humanity done in this regard?

2. The earth itself has been polluted.

Point three. In this section, we also have to focus on the plants that are poisoned that carry pollutants in their roots and transfer this into the soil. These plants, when sprayed with a pesticide diluted in water, take the water as well as the pesticide into their roots. This in turn goes through the root system and may be sent to the saplings. Now the poison is not only in the adults, but also in the young. This is not all. When it goes into the soil and goes unchecked, the potency that it takes on the soil can be alarming.

What would have normally made a person sick in one or two dosages can actually kill them now in one dosage. The soil then becomes the carrier for this plague, poisoning animals and humans alike. With each passing year, the yield decreases in quality and quantity, with crop failure a sure reality on the horizon.

1. FOOD

The other three topics are all inter related with the current one in front of us. Most of the food that we consume on this planet is coming from the toxic soil that was nourished with poisoned water that was also soaked in acid rain. This is no doubt going to have an affect on the food that we eat. However, we don't want to stress so much on the food itself as we do on its distribution. This subject has three points to it:

1. The amount of arable land on the earth.

2. Distribution of food to the poor.

3. Amount of food for each person

Point one. The scientists who have studied the Earth from space as well as those on the ground have said that a little bit more than 2% of the land on Earth can actually cultivate food for the inhabitants of the planet. What this would logically mean is that this land must be used conservatively to attain maximum benefit from it. If abused, we could lose some of its efficiency, and in the process, people could go hungry. This is exactly what has happened. Due to mismanagement, people have gone hungry, and in extreme cases, have starved to death.

Point two. As we mentioned earlier, even though the arable land on Earth is scarce, there is still enough food harvested from it to

feed the inhabitants of the planet. Then why is it that today people are still starving? This question should be directed not towards us, but towards those who manage the land where the food is planted, reaped and/or harvested. Countries such as the United States and Turkey wail crocodile tears for the amount of surplus food on their shelves that they 'don't know what to do with' at the end of the day. Never once does the thought cross their mind to distribute this food among those more deserving of it. NO. Rather than do that, they toss it into the sea or let it rot, where it then cannot be consumed by anyone.

Point three. As we stated above, there is enough food for people's need, but there is not enough for people's greed. The people that are now moving into the overcrowded cities originally left the country because of the fact that food was becoming scarce. They only came to the city to find that it was worse there than where they came from in the first place. They also find epidemic proportions of waste and ungratefulness towards food in the city. People can easily, and without conscience, throw a whole or almost whole beef paddy in the street and not feel any shame about the waste that it represents. We can see from this that the distribution of food is uneven. This can also be seen when we observe that the grocery delivery lorries deliver the goods to the grocery stores in the rich neighbourhoods first, and then lastly come to the city. Those living in the city receive second and below quality food. The most optimum and well-grown food they will never see. It is hidden from the 'lower' classes. When this happens, people in the city are nourished on sub-standard food. This plays a major part with their mind, their emotions and their spiritual well being. As time goes on, we can see the old adage, 'you are what you eat,' come to life. Due to food that does not nourish, the people are not able to grow emotionally.

In turn, they become anti-social and the result of this behaviour is the high crime rates and hypertension that goes hand in hand with city life. If you would like further evidence, we would entreat you to do research on the crime rates in the suburbs and country, and then contrast them with the crime rates in the cities and metropolitan areas. The conclusion that you reach will show you that the people in the city are being groomed to be a certain way. And part of that grooming is from the fuel that their machines (their bodies) take in from the food that they eat. The performance that comes from that fuel is the output that those in authority want, for if they didn't want things to be this way, they would not have set the stage for it.

WARFARE ON EARTH

With the implementation of man-made laws came the transforming of the earth into a graveyard for combatants and a war zone for the general populous. The warfare that is happening on earth threatens its future in general and the future of humans in particular. The effects of this warfare can be felt on three levels:

1. Left over equipment after wars.

2. The results of the use of these weapons on the environment.

3. The circumstances that people are left in when the weapons are used.

Level 1. After every war has ended, there are shell casings to be picked up, dead bodies to be buried, artillery to be packed and carried back home as well as tanks and machines of war to be shipped back home. However, since the attack on Earth by non-Islamic law, things in this regard have worsened. In Iraq, where

thousands of mines were laid for miles upon miles, people every day continue to be maimed and killed. It would take years to complete the clean up project to return this land to normal. What is worse is not the inability to do this task, but the refusal to do it. Those in power have become comfortable with the innocent suffering because of their games and world arrogance. Bombs that didn't go off when first detonated go off later, leaving in their wake a trail of faceless victims.

Barbed wire that has been laid out catches and mutilates cattle as well as the animals that forage for food in the day. The children didn't clean up their toys after they took them out.

Level two. The explosion of an atomic bomb by no means soothes and aids the environment it was detonated in. When the A-bomb was dropped on Japan, the flash blinded many people for life. In addition to this, the radiation from the fall out destroyed several species of animals. The concussion of the blast also triggers disturbances in Earth's magnetic field, which in turn makes problems for television and radio transmissions. When Ronald Reagan, during his tenure as President of the US, detonated a hydrogen bomb off the West Coast of the US, people were able to see how reckless we as people have become.

Before Reagan there were others. In the 1950's, the Earth was literally ablaze with nuclear testing. This testing has changed the weather patterns in certain areas and in others forced the inhabitants to flee. These bombs are supposed to be protecting the Earth and making it a place where sovereign nations can thrive, but all these weapons have proven is that now humanity has the ability to destroy not only itself, but those who aren't even involved in its' destruction and disobedience of our Creator.

Level 3. In the aftermath of a nuclear blast, it is the people that are made to bear whatever burden comes with it. Just ask the people living in the Southwest of the United States. This whole area in the 1950s was used as a nuclear test site. Some people were asked to come out and watch the blasts, as 'the lights were pretty.' Some people made a date of it, taking their 'sweetie' to see the 'big boom'; completely unsuspecting of the fact that many years later they would die of a mysterious disease. The families wouldn't be told until later that these people died from the radiation given off by the blast.

The Hanford disaster is also another case in point. On the West Coast of the US in the state of Washington, a nuclear plant, where they test nuclear energy, experienced a complete meltdown. Children were born with two heads, sometimes without a skull and in more extreme cases, born without a skeleton. Hanford was in the backyard of a trusting community. However, the community trusted too much. Little did they know that they figured little in the minds of people intent on testing and working on weapons of mass destruction! It wasn't until many people had been subjected to the radiation and contamination that they were eventually evacuated. What lesson did we learn from this except the disobedience of man in the sight of his Creator is enormous?

WOMEN AND CHILDREN

Women and children are some of those who suffer the most from the onslaught of man-made law. It comes into the house of the family, and dismantles it, brick by brick, piece by piece. This deception against women and children can be explained in three points:

1. Women and children, and the plots against them by man-made laws and systems.

2. Orphans and widows

3. Street children and single parent families

Point one. In the era of man-made laws, women have been those who have fallen first to the missionaries of falsehood. They have been promised liberty, equality and complete freedom in the framework of a society that everyone can exist in. This however, has not been the case. The liberty that they have been given took them outside of the home. In the process of them going outside of the home, the men were left with the children. But the men could not raise the children, for they were working as well. So what occurred from this situation were children who knew their parents as strangers, being asleep when they came home from work and just waking up in the morning when they were leaving for work.

This situation increased once women were told that they were completely equal to men. This belief, later known as humanism, blurred the identity and roles of men and women in society. Women were told that they were equal, thus they wanted to work in the workplace with men, receive the same pay, benefits and treatment that men give amongst each other. What has developed from this in reality is that women receive a lower wage, due to the fact that they are not as constant as the men in their work. Women get pregnant, they take maternity leave or they have other conditions and sicknesses, all of which are absent from male workers. This is causing resentment between both men and women in the workplace. This resentment has come in other ways, where male employers have actually begun to take out ads in the newspaper reading; **"Females need not apply."**

The deceptive creatures that sold the concept to women that they were completely free also led to great corruption. Women were encouraged to take off their clothes in public, to become willing tools for perverted men. As design after design of summer bathing suits came out, the clothes for each type of bathing suit became less and less. Women were featured in magazines, not as women, but as seaports. Today, they figure prominently in commercials advertising alcohol. They are telling the consumer subliminally that if they drink this particular brand of malt liquor, then they can have a woman that looks like a model. The problem comes when they do drink that brand. When they find that these women don't want them or that these women do not appear as in the commercial, they turn to rape.

In continuation of this problem, women become the prey and men the predators in the workplace, as the men that desire them also turn to rape. From all the advertising on billboards, radio and television, the results from this are obvious. As 'freedom' increased, so did the exploitation and use of women for male 'entertainment.' Strip clubs began to spring up, pornographic videotapes and channels, and all of the other seeds of 'liberation' began to take root.

As this happened, rape increased, since the more men became stimulated, the more out of control they became. Drunks in a bar that now had complete access to women in the public went on rampages of rape. Women that began to walk around without a male relative or husband now became an easily accessible target. This tremendous price came with the freedom that women were told to demand. The propaganda machine of Satan worked day and night fiercely to put these ideas in her head. The ideas that she wanted to go out of the house uncovered, that she wanted to walk the streets alone without protection and that she wanted to

work with men in enclosed spaces without any protection of her rights were given to her as rights of passage, so as to deceive.

The bodies of women became the spoils of war, as medical experimentation with the embryo and the female internal organs became a subject of fascination in the medical world. Women were reduced to guinea pigs, to be taken and cast off whenever necessary. Abortion, no matter what the consequence, was encouraged as a woman's right. Any dispute in the matter was answered with, *'It is the woman's body and it is her right.'* This destructive behaviour could only trigger more social earthquakes in society.

Point two. In these days and times, orphanages are overflowing with children without parents. There are countries, such as Britain, where women are much more per capita than the men in the population are. There are also widows in other countries due to war. These widows are not cared for or looked after in the least by the regimes that hold dominion over them. These women are pushed into a life of penury and loneliness. No one steps forward to take care of them or to assist them financially or socially in their struggles through this life. Many of these women suffered incredible trials; some of them saw their husbands killed in front of them. Some of them lost their children and are the only remaining survivors.

The orphans are raised in institutions and grow up maladjusted to society. The only families that they know are their social workers if they are fortunate or the streets if they are not so fortunate. There is no one there to nurture them. There is authority, but they are taught from an early age to disobey and to challenge that authority. The reason why is that they are not raised by any one. They are treated as wild animals, untrained by anyone and in need of love. But there is none given by the establishment to them.

Point three. What of the children who are born from fornication? There is no covenant or responsibility felt between them and their parents. On more than one occasion their parents abandon them. They then go either to the orphanage, or in the situation that is happening in South America, they become street children. These street children must survive, so what do they do to survive? They commit crimes, and that crime provides for their food and pays their bills. Any society where you see an abundance of street children, you can rest assured that the crime is ridiculously high. If only their mother should raise them at home and if they are male children, how will they learn to be men? Who will teach them to be men?

It is the streets that teach them to be men. What they see their mother's boyfriend do to their mother is what constitutes a man. If he beats her, kicks her, rapes her, mocks her and so on, then the son understands these characteristics to be that which a true man should possess. When he gets older, he will then attempt to implement this, whether he is conscious of it or not. He has been taught and conditioned, and now he will implement. Thus domestic violence will increase between man and girlfriend, as the son has already been taught from the first step that women have no honour and don't need to be committed to in marriage. If these maladjusted children have offspring, why would they take any responsibility for their children when no responsibility was taken with them in the first place?

When the child is a daughter, again she will learn from her mother. Once she is made to know that she was conceived in fornication, what reason will she have to hold back from doing the same thing? If she was conceived in fornication, then there shouldn't be anything wrong with it. She will observe her mother's dress habits, her social demeanour, her sexual habits and she will follow suit. Those that think otherwise are

extremely ignorant of the power of influence on children. These daughters will become expert weekend lovers and honeymoon wives to the population, pawning themselves off and being passed around the men in their country like a bag of crisps passed around a circle of children.

CLONING

As science is advancing, man is becoming more arrogant with the knowledge that he has gained. Some of this knowledge includes the genetic modification of plants, fruits, vegetables and more recently, humans and animals. Human embryos are being frozen and kept on file, being catalogued like LPs or CDs in a Top Ten collection. These cloning concentration camps are one of the most degrading things that have ever befallen humanity. This disaster has two points:

1. Unrighteous uses of knowledge.

2. Dangerous consequences on the horizon.

Point one. Man has truly exceeded his bounds. Who could have seen the day when man would genetically engineer even his own food? Now that he has done this, he makes the decision how large the wheat crop will be, when it will yield and how many

times he will pull a yield from this land. The initial plan of cloning was to safeguard plants against certain insects and not have to worry about too many different types of pesticides. The end result, though, is that the plants became immune to the particular type of disease that was disturbing the crop. But if a new strain of the disease came, whole crops would be lost. This is exactly what has happened. Thus famines will no longer be due to greed, but actually due to man's outsmarting himself.

Ever since farming became the commercial industry, it is today man has been looking for the perfect crop. In the race for more production, less wait, many industrialised countries may have very well sealed their own doom. Only time will show us the results of this dim-witted act.

Point two. We could not leave this subject without addressing the cloning of animals in general and humans in particular. A case in point is the United States. This country can now take the embryos of cows and store them in the wombs of rabbits. From here they transfer them across the country. This saves space in shipping as well as transporting two separate types of livestock. Once the shipment arrives, the embryos are taken out of the rabbit wombs, allowed to germinate in a Petrie dish, and then grown to full weight. When man passed this point in technological experimentation, he became truly dangerous.

The next issue to be addressed is the issue of human cloning. Once cloning became possible, nations began to ponder over the idea of a genetic super soldier, a throw back to Hitler's ideas. The US and other Western military nations are very interested in the benefits of cloning for use in combat and labour jobs. Thus, the creation of the master race is now on the mind of those who are insane enough to violate the limits that the Lord of the Universe has put on His creation. It doesn't take someone educated at the highest university to tell you that a great evil is

going to arrive from this, and may Allah I protect us from the evil of what man tries to create in his quest for divinity. Amin. And Allah I has already warned us in this regard,

و إذا تولى سعى في الأرض ليفسد فيها و يهلك الحرث و النسل و الله لا يحب الفساد
. و إذا قيل له اتق الله أخذته العزة بالإثم فحسبه جهنم و لبئس المهاد

"And when he turns away, his effort in the land is not do corruption and to destroy the crops and the lineage, and Allah does not like corruption. And when it is said to him, 'Fear Allah,' he is led by arrogance to (more) crime. So enough for him is Hellfire, and to go to that place is the worst!" [5]

When reading this, it may have crossed your mind as to why we wrote it. What does this have to do with Allah's I Governance on Earth? The answer is that the condition of Earth now is the subject of Allah's I Governance on Earth. All of this is the subject of the book. The condition of this planet currently is because of the way that it is being managed. All of these things come from a lack of government. But with Allah's I help and dedication to implementing His laws, we can change the situation of Earth and return back to it the rights that Allah I conferred upon it. We do not want the Earth to bear witness against us on the Day of Judgement and complain that we didn't try to lift some of the pain that it was groaning under.

و أخرجت الأرض أثقالها و قال الإنسان ما لها يؤمئذ تحدث أخبارها بأن ربك أوحى لها

"And when the Earth throws off its' burdens and mankind will say, 'What is wrong with it (the Earth)?' That day it (the Earth) will speak, for your Lord will inspire it." [6]

[5] Surat ulBaqarah, ayaat 205-206
[6] Surat uz-Zilzaal, ayaat 2-5

THE SHARI`AH AND MANKIND

Before Allah Y created Adam υ, He Y was the Sole Dominator over His creation and Earth with regard to any of them having the ability to disobey Him. Then Allah Y created and placed mankind upon Earth. Mankind was to rule and control earth on His Y behalf, this is the meaning of the term Khilaafa (Islamic governing system), knowing full well some people will disobey Him regarding His legislation and Shari`ah.

Allah's I Dominance is divided into 2 categories: -

1. **Al-Qadaa' al Kawni,** Dominance of creation by definition and nature. Man has no role in this part. This is Allah's I control over the planets and other natural phenomenon. This also includes such **'natural laws'** as gravity, grass growing, the earth rotating, the Sun giving off rays of light, etc.

2. **Tashrii`** (Legislation), These are the laws that Allah Ψ gave mankind to judge amongst themselves with here on Earth. Allah Y gave mankind the free will to choose between His legislation and from the legislation of the Shaitan. The only condition being that whoever chooses the Shari`ah of Shaitan will be punished by Him Y.

After knowing these definitions, we should understand that Allah Y sent Messengers τ to mankind so that they believe in Him Y alone, dominate and control earth, so that Shaitan and the forces of Kufr do not tempt mankind.

This is the **"real battle"** between the Shaitan and man. Although Allah Y dominates every creation, as He I is the

Creator, he also wants the believers to dominate earth. They can then influence people so that kufr (unbelief) has no influence over Muslims to change their beliefs.

To this battle Allah Y added some rules:

1. Whoever is winning this battle will be in control of the earth.

2. The Nation that does control Earth or a part of Earth will have the ability to dictate the policies of that part of the Earth.

3. A nation must have strength and power to prevail.

This is why there is an order from Allah Y to the believers to control Earth so that they can enforce the policies of Allah I. If the believers don't enforce the Law of Allah Y at a place, then some other people will make and utilise their own law. This is the **"real battle"** between imaan and kufr.

WHY SHOULD THE RULE OF ALLAH BE SUPREME ON EARTH?

This is composed of several reasons, the most important of which will be documented below,

Reason 1: If laws other than the Shari`ah of Allah Y are supreme on earth, then this is major shirk. Allah Y has divided major shirk into four main branches:

1. **Shirk ad-Du`aa':** Shirk in `Ibaadah (worship) to other than Allah I with regard to praying, slaughtering and asking from other than Him. Allah I says regarding this,

فإذا ركبوا في الفلك دعوا الله مخلصين له الدين فلما نجاهم إلى البر إذا هم يشركون

"And when they embark on a ship, they invoke Allah, making their din (religion, way of life) purely for Allah alone, but when He brings them safely to land, they give some of their worship to others." [7]

2. **Shirk al-Haakimiyyah and Shirk at-Taa`a:** Shirk in legislation/governance and shirk in obeying other than Allah I in matters regarding only Allah I. E.g. obeying someone in contradiction to the laws of Allah Y. The evidence for Shirk in legislation/governance is,

ألم لهم شركاؤا شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب أليم

"Or do they have partners for them legislating the din (complete religion and legislative laws) Allah did not give permission to legislate. And had it not been for a clearly judged word, the matter between them would have been judged. And the oppressors truly have a painful punishment." [8]

Allah Y labelled those people who legislate as partners with Him as Mushrikun (pagans).

Those that follow and obey the legislators have committed Shirk at-Taa`a (shirk in obedience) and are also pagans.

The evidence is,

و إن أطعتموهم إنكم لمشركون

---

[7] Surat ul`Ankabut, ayah 65
[8] Surat ush-Shura, ayah 21

"And if you obey them, you are mushrikun (pagans)." [9]

Another evidence for the Shirk in obedience is,

اتخذوا أحبارهم و رهبانهم أرباباً من دون الله

"They took their priests and rabbis as lords besides Allah." [10]

3. **Shirk alMahabbah:** The Shirk of love, in which the perpetrator shows the love that is due to Allah I alone to other than Him. The explanation of this Shirk is,

ومن الناس من يتخذ من دون الله أنداداً يحبونهم كحب الله و الذين آمنوا اشد حباً لله

"And among men are those who take Andaad (false gods) as partners besides Allah. They love them as they love Allah. But those who believe love Allah more..." [11]

4. **Shirk an-Niyyah:** This is the Shirk in intentions, purpose and determination in acts of worship or deeds not for Allah I, but others. To understand this shirk, we refer to the statement of Allah I,

من كان يريد الحياة الدنيا و زينتها نوف إليهم أعمالهم فيها و هم فيها لا يبخسون أولئك الذين ليس لهم في الآخرة إلا النار و حبط ما صنعوا فيها و باطل ما كانوا يعملون

"Whoever seeks after the life of the Dunya and its glitter, to them shall We give in full their deeds, and they will have not have any reduction of it. They are those who have nothing in the Hereafter but the Fire and in vanity were all the things

[9] Surat ulAn`aam, ayah 121
[10] Surat ut-Tawbah, ayah 31
[11] Surat ulBaqara, ayah 165

that they had done, and of no use are the things that they used to do." [12]

Reason 2: The statement of Allah Y in the Qur'an,

و ما خلقت الجن و الإنس إلا ليعبدون

"I did not create Man and jinn except to worship me" [13]

This worship mentioned above entails two components,

1. To obey Allah I in **intentions**
2. Obey Allah I in **commands**

All of these things are referred to as **`Ibaadah**. **`Ibaadah** is a general term that makes reference to all the acts of worship, inward and outward that Allah Y accepts and is pleased with. It is everything that Allah Y is pleased with, which is why Allah I called those who do not rule by what he has revealed kuffar, because they have obeyed other than Him Y.

Reason 3: If Allah's Y law is not supreme many people will leave Islam. In regard to this mankind is divided into three groups:

1. Those who have the will power to worship Allah Y and *fight* to the utmost.
2. Those who are evil and are willing to *fight against Allah Y* till *the end.*

---

[12] Surah Hud, ayaat 15-16
[13] Surat udh-Dhaariyaat, ayah 56

3. Between these two extremes are the ***majority of people.*** They can be good believers although they cannot stand hardship, tests and trials.

Thus, if the law of Allah Y is not supreme, these people turn to kufr. These people are very weak and if they are ruled by kuffar, they could very well give way to kufr. This is why the next hadith has so much relevance.

حدثنا معاوية بن عمرو حدثنا أبو إسحاق عن الأوزاعي حدثني أبو عمار حدثني جابر لجابر بن عبد الله قال قدمت من سفر فجاءني جابر بن عبد الله يسلم على فجعات أحدثه عن افتراق الناس و ما أحدثوا فجعل جابرٍ يبكي ثم قال سمعت رسولِ الله ρ يقول إن الناس دخلوا في الدين الله أفواجاً و سيخرجون منه أفواجاً

Jaabir ibn `Abdullah τ was weeping and he said, "I heard the Messenger of Allah ρ saying, ***'People will come into Islam in great crowds and they will leave Islam in great crowds." '***[14]

Therefore it is an obligation for those who believe in Allah I to apply His Y laws even if they are killed to protect the majority of mankind. These laws are given to humanity in the form of a book.

Any book that Allah I revealed contained two components:

1. News about the people of the past (e.g. the people of Ad, Thamud, Madyaan, etc.) for us to learn from their experiences.

2. Rules and **laws.** Allah Y wants these rules/laws to be applied, as the reason for Allah I to send the Qur'an is the following,

[14] Musnad Ahmad, hadith 14,334

Allah's Governance On Earth

إنا أنزلنا إليك الكتاب بالحق لتحكم بين الناس

"We have only revealed this book so that you might judge between the people in truth…"[15]

These major rules here make up the recipe and the justification that we are to follow the order of Allah I to control the Earth.

THE PRACTICALITY AND MERCY OF THE SHARI`AH

Any law system has a practical attribute to it, and from this practical attribute, one can come to conclusions and assess the ideas of justice and peace embedded in this system. The Shari`ah is for Muslims **and** should be to non-Muslims the natural and pure way to save humanity from the clutches of moral degradation. Many people, when they think of the revelation that Allah I sent, they only remember the news and the entertainment that they take from those stories. But these stories are to learn a lesson from those who disobeyed the **LAWS** that Allah I sent down to be obeyed in the first place. It is for this reason that Allah I revealed,

إنا أنزلنا إليك الكتاب بالحق لتحكم بين الناس

[15] Surat un-Nisaa', ayah 105

"We have only revealed this book so that you might judge people in truth."[16]

It is for the implementation of the laws of Allah I that we should be striving for in this regard. However, the practical side of this is the question of, *'Can the Shari`ah be implemented and what is the reality today that it will be introduced in as well as the circumstances that require its' implementation?'*

THE MERCIFUL NATURE OF THE ISLAMIC SHARI`AH

After the practicality for any system is of course what it has to offer humanity. Under the burden of oppression and ill applied man-made laws, people who should have been punished were rewarded and ushered unto freedom, while those deserving of mercy were given none and made to be subhuman in their own country. These oppressed masses are clamouring for justice and are deserving of the protection that any civilised society should provide for its' citizens.

Those in the Islamic State should never be humiliated in order to extract some sort of monetary gain, or for racial reasons. An example is the Korean/Japanese conflict. In this war, the Koreans were attacked. But the destruction didn't stop just there. After they were defeated, the Koreans were humiliated and made to wear signs that had degrading messages written about them as a race and as a people. The women were declared to be the whores of the Japanese Empire and the children from these unions were hailed to be bastards. The culture of the people was trampled upon and they were made to feel subhuman, with not a single right under the state.

[16] Surat un-Nisaa', ayah 105

There then began to be guerrilla warfare and popular unrest. When the Koreans were finally freed from Japanese hegemony, complete hatred existed among them. This in the Islamic State would not have occurred. As history can prove, under the umbrella of the Shari`ah, the Koreans would not have been exterminated, as racial bigotry is not a part of Islam. The children and women would have been taken care of as they are a burden of the Islamic State and are to be cared for and to have their needs met in this regard.

As far as being degraded and humiliated for belonging to a certain race, again the Shari`ah abhors such things. The culture of a people is to be preserved; in so long as the culture is not calling to paganism or anything that would be considered as unlawful in the Islamic State. But the aspects of culture, which include things such as language, the foods they eat and cultural norms, the Shari`ah does not interfere in that in any way. The people have a right to keep the national customs that they possess, which are not directly antagonistic to the Shari`ah.

The ability for a people to preserve their customs is a part of their blood and lineage and Islam preserves that. This is why today; the Berber language has been preserved in North Africa, not to mention Hausa, Aramaic and Hebrew. In the early conquests of Islam, the Muslim rulers could have immediately eliminated these languages all together and vanquished whoever disagreed with them from any religion. However, these languages were preserved and the heritage of the people was unharmed.

One of the best examples of Islam's protection of a people's national heritage and hence their blood and lineage is that of `Abdullah ibn Ruwaiha τ. Some of the Jews in Arabia had been instrumental in trying to kill the Prophet ρ, and due to their

continued treachery, the Muslims invaded with the Prophet ρ and executed the soldiers that were conspiring against them. In the aftermath of the battle, `Abdullah τ was walking about, checking that the area had been secured. While on his patrol, he happened across some scrolls of the Torah. He immediately scooped them up and came right to the Prophet ρ and presented him with them.

When asked what should be done with them, the Messenger ρ told him to present them back to the Jews and Ibn Ruwaiha ω handed them back to the chief Rabbi.[17] Thus although Allah I has cursed the Jews and has denounced them in many ayaat, as Muslims we do not subscribe to racism and actually try to destroy the cultural heritage of a people. K`ab ibn alAhbaar, `Abdullah ibn Salaam, Wahb ibn alMunabbih ω, all former Jews, once came across some old books of the Torah during a siege of a city filled with Jews. But the books were taken and returned back to the Jews.[18] And even today, some of the oldest Jewish manuscripts in history are to be found in museums in the Muslims world.[19] This alone speaks volumes for Islam, and shames the Christians, who during WWII could not control Hitler, who was determined to destroy the Jews.

In all of this, the lesson to be learned is that the lineage, basic rights and dignity due to any human being are guaranteed under Islam. Of all the human rights violations that the world powers have committed over the past 70 years, Islam doesn't match up to even half of their evil over the past 1400 years. This is

[17] Please check the books of Sirah, such as Ibn Hishaam, ibn Ishaaq and Ibn Taymiyyah.
[18] Ibid
[19] An example of this is the Dead Sea Scrolls and the Nag Hammadi manuscripts, previously under supervision in Jordan and Egypt. It is also important to mention that many Hebrew manuscripts are held in Geniza (museums of Jewish culture and literature) shops in Egypt.

precisely why the truth must prevail and that the Shari`ah must be implemented. Only then can the people have their honour and the Earth itself be honoured.

The problem that exists for the general populous is that their laws, although carefully documented and written down from the minds of men, have never been able to address the human element.

The reality of laws which are drawn up can be seen by the lop-sided and ineffective implementation. This is based on the fact that the human mind cannot have had the foresight to imagine loopholes or any of the side effects these laws have created such as the the treatmant of the poor and hugh differences between living conditions of people. We will explain one of the issues that show Western law to now be obsolete.

THEFT AND THE SHARI`AH RESPONSE

The Shari`ah provides the justice which is unique and unparalleled in all of human history. Let's take for example, the Shari`ah solution to the one who is a professional thief under Islamic law. The one that perpetrates this act under the divine statutes of the Shari`ah is to have his hand removed.[20] But what does this accomplish for the one looking from the outside of the

[20]The minimum that the thief can be punished for is the theft of 15 pounds sterling ($7.20). This does not include the one who is stealing for the basic human needs, such as bread, milk, water and the like. In this case, the person is not punished with amputation. But one not stealing for need, like the one who is stealing furniture, stereo equipment, alcohol (which shouldn't even exist in the Islamic state!) and other non-essentials is to have the hand amputated. Likewise, if someone steals less than fifteen pounds, the judgement of amputation is not to be applied on him either. If he steals from something that is left out and the owner is negligent; he is not punished with amputation.

Shari`ah view. This firm but merciful act brings about the following solutions:

1. The offender is made to be a public example for those that might think to perpetrate such an act in the future. This is what we call free advertising.

2. There is full recompense for the property that was taken from the victim. Thus the victim of the crime can feel assured that he will not always be a target, as justice will always prevail.

3. If the man has a family, they are not deprived of his presence. Even though he has done a crime, he is not held in prison and prevented from his wife and children.

4. It remains as a lesson for the perpetrator so perhaps he may act as a warning to the youth or other criminals that may look to him for guidance.

5. The perpetrator does not have to wait out a lengthy jail sentence, with the resources of the general public being drained to support his nourishment in the way of food as well as his medical and dental maintenance and learning other criminal tactics.

This is of use to the one who is neutral when it comes to the Shari`ah. We ask you to consider the third point deeply. In today’s so called peaceful democracies, when people commit crimes such as theft, they are held in prison. Although they should be punished for their crime, the punishment should also be one that doesn’t overstep the bounds of the crime itself according to Divine Law.

But we can see that in the case of democracy, the punishment actually does more damage to the person himself and the society than the crime that led to it. If the man that is taken to jail has a family at home and he is the breadwinner, how are they to feed and support themselves without him at home? The children have a father that has been kidnapped by the state in front of their very eyes. Thus they learn at an early age to defy the system and to become anti-state.

The mother of the children has had her husband removed from her, this leaves a void in her physcoligical and physical stability. She may then wind up in the arms of another man, who will lavish on her the attention and maintenance that she needs. What will the children do when they see a man that is not their father fondling, hugging and cohabiting with their mother? Surely, this will have some effect in the long run on their young minds.

And once the father is released, things will really heat up. How many jailed husbands have come home, only to find their wives with new lover (s)? We have seen in the news how these jailhouse husbands have reacted. They have murdered their whole family in a fit of rage. So from the very beginning, we are able to see that the judicial system of democracy actually increases crime, instead of reducing it. In the end, the 2,500-pound sterling a week that the state put forward was wasted on this prisoner.

The desires of the husband must also be thought of in this picture. He may turn to homosexuality while in prison, as these places are breeding grounds for paedophiles, sexual deviants and other social refuse. He may have lovers inside, so he is always dreaming of going back to jail. Thus due to basic human desires, he turns to the disastrous practice of Sodom and Gomorrah. This again will figure on medical expenses, as these episodes will result in AIDS and other social diseases that will surface inside of the prison.

ADULTERY AND PROMISCUITY

What is the Shari`ah rule for the adulterer? The one that commits adultery [21] is to be stoned to death under the Divine Law code. Now what does this accomplish for the society? We have outlined some points for the seeker of knowledge in this regard,

1. The honour of the one who was victimised is vindicated.

2. Free advertising, which will give the public a chance to observe what the penalty is for such evil acts.

3. The amount of children born out of wedlock will naturally decrease, as the penalty for adultery is known.

4. The number of sexual transmitted diseases will be lessened.

5. The spread of these diseases will be able to be checked and kept at a minimum.

In modern Western societies, adultery is not even handled as a crime. Rather, it is seen as something that is a distinctly private matter. Unfortunately, in recent years, with the rise of street children from adulterous marriages piling up, we can see that it cannot be passed off as private. These children are the people that the world including the selfish people involved who committed the treasonous act of adultery, forgot about. They are mostly abandoned, to wander life not knowing who they are. They never had anyone close to them, so naturally they are anti-

[21] Adultery is when the person that is married has sexual intercourse with a person that is other than their spouse. For the person that is not married, this is classed as fornication, which is an offense where they would be lashed. Although in English, there are two separate words, in Arabic there is only one word, which is zina, which can mean both fornication and adultery.

social. They are not able to form associations of right and wrong, because they themselves have been the products of a wrong. Another thing is that they could cohabit or marry their own brothers and sisters due to the fact that no one knows who their relatives are.

This leads to birth defects and disabled children, along with new diseases previously unknown. Above all, the right of Al `Aziz (the All Mighty) I is the first thing to be preserved. Allah I has said that unlawful sex is a catalyst for diseases unknown before. Before, we only knew of VD, but now there is AIDS. There have been new diseases that have also sprung up. Our Lord has said that whenever people increase in infidelity, He sends new diseases. This is the truth without doubt. This is no laughing matter. We cannot afford to challenge our Lord after He has told us the punishment for unlawful sexual intercourse. It was asked by Zainab bint Jahsh ψ regarding the end of time tribulations,

قالت زينب: أنهلك وفينا الصالحون؟ قال صلى الله عليه و سلك   نعم إذا كثر الخبث

"Will we be destroyed even though there are righteous people among us." The Messenger ρ said, ***"Yes, when Al-KHABATH*** (the filthy acts of unlawful sexual relations and all other sexual perversions) ***spreads."***[22]

[22] Narrated from Sahih alBukhaari

Likewise, in the time of the Prophet Lut υ, the people involved in homosexuality were showered with stones from the sky. The punishment being showered upon these people today is AIDS. Each person is hit with his own stone, which today is the AIDS virus, thus although the methodology changes, the punishment that Allah I metes out does not. Allah I knows what methods there will be in the future, but they will no doubt match in severity with each new evil.

Perhaps the most painful and tearful result of this is that these children born out of wedlock have never known anyone in their life to love them, so the world appears as a much lonelier and bigger place to them. But they are not alone. Allah I is there and will provide for their justice and rights that are listed under His Divine Law, as He I cares for everything from the greatest to the smallest creation. He I also has mercy on those who have been victimised, and the children who came from this environment most certainly have been.

We can see from the first and second examples mentioned, that the Shari`ah is tremendously precise. On the other hand, the punishment of adultery can only be implemented if there are four witnesses that unanimously agree that they have seen the incident. Obviously, if four people see the incident in its details, it means there was a show going on, which is difficult to prove most of the time. But the threat of being stoned to death acts as a deterrent and shakes the mind of those who consider adultery. For example, the offending member of the professional thief, the hand is amputated and taken away so it will not harm society again. With the adulterer/adulteress, it is the whole person, as this was the offending factor. Everything from their envying eyes, to the private parts all the way to the hands and the feet played an offending role. Thus all of it must go. Islam also gives women and men the equal right to divorce if the woman or the man is not competent for the other partner. This is unlike other

false religions, where if the people are not compatible, they are stuck together. Another reason is that if people learn that there is an adulterous person, they may become tempted to seek that person out, since the adulterous person is loose and willing to cohabit with anyone and the Shaitan will use him or her as a banner for sin and temptation. The Shari`ah answers these whims and temptations in the most merciful and practical manner possible.

PROTECTION UNDER THE SHARI`AH

As we discussed previously, the Shari`ah has come to protect the chastity and well being of man. But there is still much more that we have not considered regarding this Divine code of laws. It should be made clear to our brothers and sisters that the Shari`ah has also come to preserve the 5 most important things in human life, those being

1. Faith
2. Blood
3. Honour
4. Money/Wealth
5. Intellect

FAITH

When the Shari`ah came, it was to protect every single person that was enveloped under its' canopy. It gave the Muslims the right to worship, and even extended the right to the kuffar (unbelievers), so long as they were in covenant with the state. Those who could be accepted as in covenant with the state are the Jews, Christians and Parsee's.

Although the Jews are cursed and the object of the wrath of Allah I, the Christians are astray and the Parsees worship fire, the origins of their religion still lies with a book that was

revealed to them by Allah I long ago. [23] Due to this fact, Allah I has set aside protection for them as long as they are under the command of the Islamic State. That command consists of them paying the jizya (tax imposed by Muslims on kuffar), and not being involved in intrigues against the state. In return, they will be free to practice their religion and to go unmolested by the Islamic rulers or the subjects, and they will not be subject to any attack or abuse.
At the same time, while they may practice their religion, they may not propagate their faith to others, as the wrong religion, even if protected under Islam, has no right to call the people of truth unto its' doors. Another issue is the fact that these people drink wine as part of their religious ritual, something expressly forbidden in Islam.

Although they may do so in the privacy of their own homes, it is forbidden for them to advertise, import or export alcohol or any other forbidden things into the Islamic state. It is also unlawful for them to overtly practise their religious festivals, or to call the Muslims to do so.

There are some false religions not recognised by the Lord of the Universe and are not entitled to protection. These religions are those like voodoo, witchcraft and all assorted types of idol worship.

These religions are just out and out paganism, thus they entitle no protection from the state of a Divine Sovereign like Allah I. Therefore, the faith must be one that is recognised by Allah I and is monotheistic in origin.

[23] It is only Imaam `Ali τ who said that the fire worshippers had a book. Most scholars do not agree with this opinion, however.

Although their religion is unrecognised, as long as they do not interfere with the practices of the Islamic State, they will be safe from the swords of majesty from the armies of the Mujaahidin. However, their meat is unlawful for us, their women are not for us to marry and all of their festivals are strictly forbidden in the open.
This must be the case, as the wrong religion should have no right to put the people to trial with its superstitions and festivals, many of which are outright kufr or have some shirk in their rituals. And to protect the faith of Muslims, Allah I has,

1. Forbidden apostasy and made a punishment for it.

2. Forbidden Muslims to live among kuffar, so the kuffar don't influence Islam or Muslims.

3. Made the Muslim woman off limits to marrying a kaafir man, for he will influence her.

4. Made it compulsory for people to seek knowledge about Islam and made the extra knowledge compulsory for the scholars to protect Muslims.

5. Urged enjoining the right and forbidding the wrong so that the law and order of Islam will be intact.

6. Put forward jihaad as being compulsory, offensive and defensive, as Muslims have been commanded to protect themselves and invite others to Islam. This is also for people who have been soured towards Islam by the propaganda of the media who might also be conquered and ruled by Islam, so that they might see the truth unadulterated and then become Muslims.

7. Set a standard for loyalty and disloyalty in Islam to keep deviants and kuffar from taking the lead and destroying the religion with their falsehood. This is also to discourage and forbid treason towards the Islamic State, Allah I, the Prophet ρ and the Muslims in general.

8. Opened the door for anyone who sinned to have a good fresh start through repentance and to re-establish his or her relationship to the Holy God of truth.

9. Help those who are not Muslims to come forward through the improvement of their religion, even though they are not Muslims. The example would be that if a Jew were to accept Jesus υ as the Messiah. He would be encouraged to do so, as this would bring him closer to Islam. Another example would be a Christian denouncing the Trinity and accepting complete Monotheism. He would be encouraged to do so and aided in his quest.

It would not, however, be accepted in the Islamic state for the Christian to denounce Moses υ as a prophet or Jesus υ as the Messiah. This is unacceptable, as it violates the truth of the tenets that his very own religion is based on.

2. BLOOD

The blood that is preserved in this regard is in relation to the right of people to have justice administered on their behalf. Everyone in the Islamic state, whether they are Muslim or even a kaafir under the protection of the Islamic State, deserves to have himself and those people close to him safeguarded from harm.

An example would be the one who was physically assaulted. This one has the right to vindications, which is the payment for his medicine or care to cure his injuries. He must be protected, so that he may feel secure in going out and about whenever he wishes. If he cannot feel safe in the Islamic State, then he will take the law into his own hands in order to ensure that his blood is preserved.

Under the Shari`ah people who murder deliberately are to be killed. This is to stop the appearance of serial killers and copycat killers that are so prevalent in today's societies.

The one who has killed by accident, such as in the case of fights that get out of control or on the job accidents is to pay a blood ransom to the family of the one killed. This way, the family isn't poverty-stricken and the children, wives and husbands in the family are still able to have sustenance.

The one who damaged someone's body, such as an eye or tooth, Islam makes it lawful for the people involved to take the eye or tooth of the offending person, or to accept compensation on the part of the offender.

Suicide is also made forbidden, as it is harm on the human body and a form of self-oppression that has consequences in the next life. This also stops the trend of mass suicides, based on copycat suicide.

A person who kills for an illegitimate purpose will be deprived from any state benefits. Likewise, the one who would kill his father, mother or both parents is not allowed to inherit from them.

Allah I has made a strong discipline for trade, divorce and transactions, so that it might not result in killing, enmity and

fighting amongst the Muslims. It is obligatory for people to train and defend themselves so that they don't become easy targets for those that want to kill them.

It has been ordered to disable and disarm people who are committing bodily harm and ambushing people to gain their property. This is in addition to the fact that it halts armed and strong-armed[24] robbery.

Everyone has been made responsible for his actions as well as the actions of those he is looking after, such as someone's children. The Shari`ah has made it compulsory for those who are ill to seek medicine and not to wait without a cure. This is so people will always be healthy and fit. People have also been halted from doing things that would bring disease, such as urinating in stagnant water, eating with the same hand that one uses to cleanse oneself while in the bathroom. Unsanitary practices such as these are prevented.

Any man or woman has the right to defend him or herself from any harm that a belligerent person might mean towards them. If someone is attempting to kill a person, the one under threat has the right to defend himself and if necessary kill the imposing person.

Also, anything that provokes enmity in the community that could result in murder is prevented in Islam. This is why it is forbidden in Islam to point a weapon at another person, as this could bring enmity or result in murder. Islam has forbidden all of these doorways to disaster.

[24] Strong-armed robbery is where someone comes with just threats or maybe shakes their fists at a person and says, "Give me your money." It could also be that the person physically assaults the victim, and then demands the money of the person.

3. LINEAGE/HONOUR

The Shari`ah preserves the lineage of others by halting fornication and other excesses. This is accomplished through preserving the lineage of people through marriage and discouraging and opposing fornication. If people do not get married and they do not conduct their physical and social relationships through the divine and healthy manner, then there will most assuredly be Divine repercussions.

When people who are not recognised by Divine Law become a couple there are many things that result. If they should have children, those children will not grow up well adjusted, due to the fact that they are illegitimate. If the relationship ends, the father is not responsible for the children and abandonment is an issue all too familiar in industrialised nations these days.

When these children grow up, they will also mimic their forbearers in action and will carry on this horrendous sin. They may even cohabit with and have children with their own relatives, due to the fact that in unmarried relationships, no one pays any mind to lineage. Thus a half sister or a half brother could cohabit with his or her sibling who was raised in another household. This would in turn produce children that have birth defects, due to no fault of the children. For the fault of others, these children would be made to suffer and would either wind up in an orphanage, or be abandoned by the very ones who are supposed to love them.

In addition to this, even in the law of the West, illegitimate children do not inherit in the case of written wills and issues of inheritance.

The Shari`ah holds the same rule for inheritance and wills and testaments, but in its' function is the exact opposite. The bonds of marriage are the only ones recognised, and the people are made to adhere to these things. When marriage is performed, there must be witnesses, and when there is a divorce there must also be witnesses. This way, there can be no confusion and no incestuous relationships, since the people doing the marriage contract are also being overseen by their perspective families. If the people should recognise each other or should have a relative in common that would make them unlawful relations for marriage, the contract would immediately be cancelled. The children that would suffer birth defects would not come into the picture, since this near disaster was quickly averted.

The Shari`ah has made different punishments for sexual crimes, such as stoning to death in the case of adultery, flogging in the case of fornication and in some cases even deportation. The Divine Legislator has also stopped the ways to adultery, which He I did by encouraging marriage between free men and women or the purchase and marriage of slave women for those that are not able to marry a free woman.

Hijaab has been made compulsory to reduce the trials and tribulations in a sexually active society. It has also been made haraam for women to talk leniently to strangers so that people don't hope for haraam. To help this action, the Qur'an has made it compulsory to lower the gaze for men and women. The Islamic laws, so advanced are they, actually taught the manners of asking permission before entering a room or residence for men and women.

Islam has also prohibited any woman to stay or travel alone with a man without a mahram (an adult male guardian who protects the females physical and spiritual interests) in or to an unsupervised and private location. This simple and decisive

action eliminated 'date rape' as well as most forms of sexual harassment in one swoop.

Divorce has been permitted and termination of marriage has been made lawful from the woman's side for whoever is harmed by the marriage relation and to find another alternative. It is compulsory for women to wait for `iddah [25] after divorce or the death of their husbands or termination of marriage from their sides, so different men's semen doesn't mix inside the women's wombs. This law exists in order to preserve the lineage of unborn children.

In further elaboration on the honour, the Shari`ah has protected the honour of the Muslim men and women and has legislated flogging for false/or unproven allegations or accusations of fornication. It also forbid backbiting or calling each other names. Even using nicknames for believers is forbidden, if it is held to be offensive by those being given the nickname.

People were also prohibited from going around bad areas where people that are in sin reside, such as brothels, drug areas, pubs

[25] This is a compulsory waiting period that a woman must observe after divorce. During this waiting period, if she is found to be pregnant, then the previous husband will know and the second husband will not think that it is his and have the responsibility of tending for the child. The woman will also not be able to trick the husband into paying for a child that is not his, which happens in so many Western societies today with spiteful women who want revenge from ex-husbands or lovers. This is also to stop the child form inheriting from those who are not his/her father as well as to keep away paternity suits that are baseless. And how many a child or parent has found out through blood test that they are not related to the person said to be their child or parent? Rather, the male involved in the previous marriage was the true father. This divine law of Allah I keeps away this confusion and also keeps away diseases from too many sexual partners at one time, which is an epidemic nowadays.

and so on [26]. This is so that no accusations can be flung at the believers and that their reputation might remain safe from being tarnished. This abandonment of these areas can also act as a form of social ostracism; this would encourage the people involved in the sin to reform and to rejoin the rest of the Islamic community.

MONEY/WEALTH/PROPERTY

Money and wealth is protected under the Shari`ah by the sense of conservation and the adamant denial of waste. Those current wasters of today's times use lotteries and other get rich quick schemes as a way to subvert people and to cheat them out of their wealth and to line their pockets with the wealth of the innocent masses.

To protect the wealth of people, the Shari`ah forbid usury, theft and any transaction based on uncertain circumstances. Gambling was forbidden along with the houses where these practices are carried out. Rules and regulations were made for transactions so that people do not take each other's money unlawfully.

Trading in prostitution, cigarettes, alcohol, dogs and other harmful things were also forbidden, that they should not become a way of earning. Wasting wealth was forbidden and the Shari`ah classed the insane as unfit to hold his own money; therefore he should have a guardian to protect him.

The Shari`ah legislated that there should be a guardian to look after the youngster, particularly the orphan, to look after their affairs, so that when they grow up, they find their money intact.

[26] These institutions shouldn't even exist in the Islamic state, so the temptation would not be there. But outside of the Islamic state, the believer should still stay far from these places.

They should not find it eaten by the guardian or the community. It has also been prohibited to take tax from the earnings of people, as everyone has different spending and needs and cannot be taxed for his earning. Instead, it purifies the stagnant money of savings by a tiny portion to go to the poor and needy of the state. Thus the poor and needy don't have to resort to stealing or have hatred for the rich, for they know that the wealthy will take care of them. The Muslims even waged a war against those who refused to pay the zakat in the time of Abu Bakr τ (a close companion of the Prophet ρ), so that they might reserve the right of the poor.

Islam has also set portions in the heritage or bequest of a relative, specific portions for each one and prohibited exceeding that amount and for anyone to be denied his right. In general, it prohibited anything that can destroy people's property or waste wealth. The Shari`ah ensured that people will enjoy safety and maximum benefit from what they have.

The lottery in most industrialised countries is actually a certain amount of tax money being taken from the people and used for gambling. These groups primarily set up their operations in poor neighbourhoods, to take more money from the people. In many cases, there is no winning number, and when there is, the possibility for winning is so slim; one has a greater chance of becoming the ruler of a corrupt Latin American nation than winning that particular lottery.

On top of this, when and if one does win the lottery, the taxes that will be exacted from them will be so murderous that it will be as if they had really never won at all. In addition to this, the state is not going to help them to manage their money or create a budget for them, so due to this; they will waste a lot of money. How many people have won the lottery and have been without a single scrap of cloth to their name after only a few nights? With

this in mind, we would like the brothers and the sisters to understand that abuse of wealth has implications for the abuse of every thing else. One who abuses his wealth to buy drugs will ultimately abuse his mind and in turn abuse his family, the bedrock of society.

As explained before, Islam protects the money of the people by cutting the right hand and left foot of the strong-arm robber, killing the one who kills for money and amputating the hand of the person who steals money without excuse. Thus the safety and satisfaction for the victim is at its' best.

INTELLECT

The mind is such a precious human attribute that Allah I has endowed us with it while we are on this Earth. To preserve it and nurture it is paramount in order to have a healthy and productive human society. Things that pollute the human mind and distort the intellect of the human race will ultimately change and distort beyond recognition the fabric of society. All the sensory aspects that the human mind uses to understand and make sense of the world must be preserved.

With the television, advertisements for alcohol entice the viewer to purchase products that distort the mind. While thinking about which brand of alcohol to buy, the viewer's attention has already been directed away from constructive things, such as remembering Allah I, teaching the children, spending time with the wife and so on. These things then cease to be the priority and the desire for unlawful products increases and this becomes the main source of attention.

The Shari`ah works to eliminate this atmosphere, as there should be no advertisements of the kind on television to tempt people

away from their real goals in life. The television is a neutral device; therefore it could be used for either good or evil. In the Shari`ah, the television should only be used for the purposes of good. Advertisements for evil should not be on the television for children, women and others to see. This therefore stops the destructive stimulation of the visual, which could pollute the mind. Not only is it just the advertisements, it is the programming that is also dangerous. Programs that teach intellectually bankrupt theories like Darwinism, atheism, agnosticism and the like, all challenging the sovereignty of Allah I, they should be barred.

Likewise, occult arts like black magic, witchcraft and other dark arts should be repressed viciously without any reservations.

The radio as well has become a source of vice, with advertisements of where the next dance club frequented by drunken people will be opened and how many women are going to be searching for men on the premises. The human mind, upon hearing this, will become enticed for women and thus lends to the environment of fornication. The person will listen to the directions, and even if he is married, he may plan to go there for an easy night of zina (fornication) and drinking. The goal of the Shari`ah is to eliminate these establishments, so that the mind may be occupied with useful things and that the ears will record things that can benefit, such as Qur'an, ahaadith, family cohesion, medicine, the first word's of the person's children and so on.

The final obstacle to the human mind is actually taking the intoxicants themselves. This includes products such as cocaine, speed, cigarettes, heroine, alcohol, ice, acid, PCP and so on. These things are completely outlawed and banned from the Islamic State. In Islam, these things are seen as an out and out assault on the human mind and an attack against the human

intellect. Their usage leads to nothing but harm for the individual and for others who the individual may wound in his attempt to attain more of the intoxicant. Some people who are not even connected to the trade of drug trafficking may be killed or seriously injured while being robbed for their money by one of these people.

Anything that could lead to doing these haraam activities is also forbidden, as that which acts as a teaching stick leads to the path of what is being taught. An example would be the ingestion of marijuana. Not only is the ingestion of this subject forbidden in the Shari`ah, but advertising and inviting others to it is even forbidden, even if the product is not on the person of the one making the invitation.

Thinking practically and with what Allah I has said in His revelation, we are not allowed to attempt to kill or poison others or ourselves in any manner. The Shari`ah stands as an opponent to these evils and as an enemy for those who would give license to and sanction the destruction of the human mind.

THE GENERAL AND CONCISE NATURE OF THE SHARI`AH

The nature of the Shari`ah and how it deals with general subjects is unprecedented. Although every single action that a human being could do is not listed in the Qur'an, the general things are listed. These general things, due to the concise and at the same time comprehensive language of the Qur'an, these unmentioned things are still covered and able to be answered.

Due to this fact, the Qur'an and the Sunna even have answers to such popular questions today as baby scanning, late term abortions, test tube children and so forth. This is the nature of the divine and sanctified law that we have been given. We give

you the heart-warming words of Shaikh ul-Islam Ibn Taymiyyah رحمه الله, when he speaks of the law of our Majestic Lawgiver,

'The correct matters, which are agreed upon among the majority of the scholars is that, the verses were complete and comprehensive and would cater to the majority of the people's actions. Some people say that it actually caters for all people's actions, not only the majority. Others deny that because they don't understand the meaning of general verses from the statements of Allah and His Messenger. It is comprehensive or universal to the judgements of people's actions.

'That is because Allah I has sent Muhammad ρ with Jawaami` ul-Kalaam (the most concise words with the most comprehensive meanings). So he ρ will say one comprehensive general word, which becomes a general and practical rule and could deal with many varieties of action. These varieties can have incalculable incidents and from this point of view, verses are comprehensive and enough to deal with an infinity of incidents.'[27]

Al `Allamah al-Imaam Abu Ishaaq Ibrahim ibn Musa al Gharnaati ash-Shaatibi [28] رحمه الله said, when commenting about the verse,

اليوم أكملت لكم دينكم

[27] Majmu`a Fataawa, V. 19, p.281

[28] D. 790 AH/1388 AD. This was one of the great scholars of Spain, who hailed from the city Gharnaata (Granada). He was known for such outstanding works as alMuwaafiqaat, as well as al`Itisaam. The knowledge that he left behind has and will remain a treasure for the Ummah showing the great scholarship that was Spain.

“This day I have completed your religion,”[29]

‘If it was meant by this ayah that achievement of every particular action, then we should know that every action is infinitely various and we can not eliminate it with one small verse or one order. But the scholars indicated that what is meant by alkamaal (the root of the word in the ayah that means ‘completion of the religion’) is in accordance to what people will need from the general rules, which can cater to an infinity of incidents.’[30]

Further elaboration can also be made by al `Allamah Abu `Abdullah Shams ud-Din Muhammad ibn Abi Bakr ad-Dimashqi (Ibn Qayyim alJawziyyah) رحمه الله,[31]

‘When Allah I says,

فإن تنازعتم في شيء فردوه إلى الله و الرسول إن كنتم تؤمنون با لله واليوم الآخر ذلك خير و أحسن تأويلا

[29] Surat ulMa’ida, ayah 3
[30] al `Itisaam, V. 2, p.305

[31] 691-751 AH/1292-1350 AD. The great Hanbali scholar, known for many notable works. He was one of the top students of Ibn Taymiyyah رحمه الله and is the one who visited him regularly throughout his time in the jailhouse. We have him to thank for the transcription and preservation of many of the works of Ibn Taymiyyah رحمه الله, for he was there for the good times and the bad times. He was a great friend, and was supportive throughout all the trials the Shaikh underwent. He was not like many parasites today, who laugh and smile and attach themselves to the proper scholars through the good times, and then when you are arrested, they either distance themselves from you in the public or they feign as if they never knew you.

"Then if you dispute in something, take it back and return it to Allah and His Messenger, if you believe in Allah and the Hereafter. That is good and the best interpretation."[32]

'When Allah said a thing, it means a general thing, which includes anything, even the most insignificant matter or incident in regards to the Shari`ah or day- to-day matters.

'To relate it to what Allah revealed, when Allah says this, it means that it is impossible for Him to have ordered people to relate everything to the Book and Sunna, without knowing that there are general rules which will solve the matter. People unanimously agreed that taking matters to Allah, when he said, 'returning matters to Allah' is to return to his Book and returning matters to the Messenger ρ is to return to his Sunna, after he dies.'[33]

This is all based on what Allah I has said,

ألا يعلم من خلق و هو اللطيف الخبير

"Doesn't He know, the One who creates, and He is Most Kind and All Aware?"[34]

So every thing His creation will need has already been catered for before it was created, let alone before they needed it.
To find out about what a particular people need for a particular incident and what they are subject to, we therefore would like to highlight a very important point,

When the kuffar were looking for a man-made law, they were solving a problem that existed with their societies, as they had

[32] Surat un-Nisaa', ayah 59
[33] I`laam alMuwaqqain, V. 1, p.49
[34] Surat ulMulk, ayah 14

no holy book to give them guidance just as a sheep needs a shepherd. They needed to use some comments and logic to take them from their political ineptitude to their current state of human affairs. They were all slaves to the church, monarchy or the tradesmen. This is why in the end they had to disable the monarchy, destroy the church and globalise the tradesmen, as we see in capitalism.

But when Muslims went looking for man-made law, they were creating a problem for themselves that did not exist before, as they were leaving what was comprehensive for what was local, unpractical and prejudiced. What was a dose of medicine to the West was a dose of poison to our Ummah. As a result, things have reversed, and instead of the kuffar coming and learning about civilisation in our universities and our lands, we are now forced to learn in their lands and their universities.

WHEN EXACTLY DID THE SHARI`AH SUFFER DISTORTION?

Due to the rigidity of the madhhabism [35], some people tried to follow their madhhab without thinking and continuing the way of Ahl us-Sunna walJama`ah in regards to the use of the general rules to cater for an infinity of incidents. Due to this rigidity, they have actually tightened and hampered the mercy of Allah I on mankind to use the general rules that He sent down to them. That opened the doors and left no alternative for the rulers and especially those who are not god-fearing except to copy, imitate and sometimes invent proclamations that they call 'law' to cover up for the rigidity of the scholars.

This is the case especially with the political and military affairs of the Shari`ah, which scholars sometimes failed to use their minds and the Qur'anic verses in order to deliver the proper punishment for negligence in the Islamic army which would satisfy the rulers and maintain discipline. Similarly, when people were undisciplined and went to defy the rulers, scholars failed to introduce the relevant Islamic rules (due to rigidity in madhhabism) for maintaining discipline, law and order for the states.

Imitating the laws of kuffar started late in the Uthmaaniyyah khilaafa. It was in particular in the trading laws, and then it followed in different aspects of law by the late 19th century with such people as Muraad V, who was the first khalifa to successfully bring the parliaments into the Islamic Empire and to draw up a constitution. The other `Uthmaanic states that were the Arab lands in the Middle East also followed. During this time, the Crusades against Muslims and colonisation of the

[35] This is to follow blindly the four schools of thought (Hanbali, Hanafi, Shaafi`ii and Maaliki) without knowing the evidence of their conclusions and the general Islamic rules that they have used which Allah I has said cater to an infinity of incidents.

Muslim lands continued in what was called the ‘modern occupation.’

This also accelerated not only the use of man-made law in the Shari`ah in such areas as legislation and judgement, but also in all aspects of life, such as internal and external policies, media and education, as well as economy. The result of that is that the Islamic environment changed into a kaafir environment and what was left were some traditions that will die as time goes on.

SHARI`AH AND AKHLAAQ (MANNERS)

THE RELATIONSHIP BETWEEN ACCEPTING THE RULE OF ALLAH I AND BELIEVING IN THE MESSENGER OF ALLAH ρ

In this chapter, we would like to make it understood to the brothers and the sisters that the relationship between believing in Allah I and believing in the messenger is close, and that anyone who refused to follow the Messenger ρ would of course be rejecting faith in Allah I, and with this, nullifying imaan.

The Prophet Muhammad ρ said,

و الذي نفسي بيده لا يؤمن أحدكم حتى يكون هواه تبعاً لما جئت به

"I swear by him whom my soul is in his hand, none of you will be a believer unless his whims/thoughts/insights is in accordance to what I have delivered."[36]

Shaikh Ibn Qayyim alJawziyyah رحمــه الله puts emphasis on being happy with the Messenger ρ and accepting the rules of Allah I,

"To be happy about the Messenger of Allah ρ as a prophet is that you have to follow him all the way. You have to surrender everything to him ρ so that he becomes to you more important than yourself and your law. And you should not take any guidance except from the sayings of the Prophet ρ. And he (the

[36] Ibn Kathir Tafsir Qur'an Al-Azim volume 1, page 520

individual) shall not rule by anybody other than the Messenger ρ.

"And he should not be happy except with his ρ rule,

فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم

'No, by your Lord (Muhammad ρ), they will not believe, until they make you the judge in what they differed about...' "[37] [38]

In another place, Shaikh Ibn Qayyim رحمه الله, making mention of the same verse, sheds more light on this affair,

"To be happy about the ruling of Allah's Y law is a must. This is the foundation of imaan and Islam. It is a must for a servant of Allah Y to be happy without any resentment or pushing.

"Allah has sworn that they will never believe unless there is no resentment in their heart. Allah Y divided them into three:

1. *To make you (Muhammad ρ) the judge amongst them is Islam, thus they are Muslims.*

2. *For them to have no resentment, which is imaan and makes them Mu'minun (sincere believers).*

3. *Total submission to the law of Allah Y, even if it were against them. This is ihsaan and it makes them Muhsinun (pious ones)."[39]*

[37] Madaarij-us-Saalikin volume 2, page 118
[38] Surat un-Nisaa', ayah 59
[39] Madaarij us-Saalikin volume 1 page 209

From this affair, we know that if the people don't make the Messenger ρ the judge in their affairs, they are not Muslims and they have no respect or love for the Messenger ρ, regardless of what they claim.

Al-Haafiz Ibn Kathir رحمـــه الله, commented on the same verse mentioned by Ibn Qayyim رحمه الله by saying,

"Allah Y is swearing by His mighty self. Nobody believes unless he makes the Messenger of Allah ρ the ruler in all matters. And whatever he ruled by it is the truth, which should be followed clearly. This is why Allah Y said they should not find any resentment in their hearts from whatever you ruled (Muhammad ρ) and they surrender in total so that if they make you the ruler/judge amongst them, that they should not find any resentment of whatever you quoted for them. They should also follow it, totally surrendering, without any opposition to the law or challenging the order.

"The Prophet ρ said,

و الذي نفسي بيده لا يؤمن أحدكم حتى يكون هواه تبعاً لما جئت به

'I swear by Him whom my soul is in his hand that none you will be a believer unless his whims/thoughts/insights is in accordance to what I have delivered.' *"*[40]

Brothers and sisters in Islam, we should not shrug complacently about giving the Prophet ρ his proper respect when he says,

كل أمتي يدخلون في الجنة إلا من أبى قالوا يا رسول الله و من يأبى قال من أطاعني دخل الجنة و من عصاني فقد أبى

[40] Ibn Kathir Tafsir Qur'an Al-Azim volume 1, page 520

"All of my Ummah will enter the Paradise except those who refuse." The Sahaaba said, *"O Messenger, who will refuse."* He ρ said, ***"Whoever obeys me will enter the Paradise, and whoever disobeys me, he has already refused."***[41]

The Prophet ρ said of obedience and belief in his message in another place,

ذاق طعم لإيمان من رضى با لله رباً و بالإسلام ديناً و بمحمد نبياً و رسولاً

"The sweetness of faith is for the one who is pleased with Allah as Lord, with Islam as a religion and with Muhammad as a prophet and a messenger."[42]

The great Shaafi`ii scholar Shaikh ul-Islam al `Allamah Imaam Abu Zakariyyah Muhyi ud-Din an-Nawawi رحمه الله explained the hadith in the following manner,

"The meaning of this hadith is not to seek other than Allah I and not to head on a path other than Islam and not to follow except what was made mention of in the Shari`ah of Muhammad ρ. And there is no doubt in that whoever has this attribute (the law of Muhammad ρ), then he has already tasted the sweetness of imaan into his heart."[43]

It has been narrated by Abu Hurairah τ that the Prophet ρ has said,

فو الذي نفسي بيده لا يؤمن أحدكم حتى أكون أحب إليه من والده و ولده

[41] Sahih alBukhaari, hadith 7280, Fath ulBaari, V. 13, p. 249
[42] Sahih Muslim, with the Sharh by Imaam Nawawi, V. 2, p. 2
[43] Ibid.

"By Him in whose hand is my life, none of you will have imaan until he loves me more than his parent or his child." [44]

عن أنس τ قال النبي ρ لا يؤمن أحدكم حتى أكون أحب إليه من والده و ولده و الناس أجمعين

It is related from Anas ibn Maalik τ that the Prophet ρ said, ***"None of you will believe until I become more beloved to him than his own parent or child and the whole of mankind."*** [45]

Thus if we believe in the Messenger ρ, then that means automatically that we have to follow his Shari`ah. If we don't do so, then we will be of those who have no imaan (kuffar) as the Prophet ρ has said in the above ahaadith. So important was this understanding, that even `Umar τ was corrected,

أن عمر بن الخطاب τ قال يا رسول الله و الله لأنت أحب إلي من كل شيء إلا نفسي فقال لا يا عمر حتى أكون أحب إليك من نفسك قال و الذي بعثك بالحق لأنت أحب إلى من نفسي قال الآن يا عمر

`Umar ibn alKhattaab said, *"O Messenger of Allah! By Allah, I love you more than everything except myself.*" He ρ said, ***"No, O `Umar! It must be until I am more loved to you than yourself."*** `Umar said, *"By Him who sent you with the truth, you are more loved to me than my own soul!"* He ρ said, ***"Now, O Umar (you believe)."*** [46] [47]

Indeed, to follow the Messenger ρ is such an important aspect, that you have no belief unless you belief in him as the

[44] Sahih alBukhaari, hadith 14, Sahih Muslim ahaadith 44 and 70.
[45] Ibid.
[46] Sahih alBukhaari, Kitaab ulImaan, hadith 6632
[47] Thus this is so important, that it is an actual a condition of Shahaada to submit to what the Prophet ρ brought to be judged with among people.

Messenger. For if one denies the Messenger ρ or the Messengers τ, he has automatically denied the books that the Messengers have presented to be followed. And if he has denied the books, he has in turn denied the angels, who brought the books. And if the angels are denied, then Allah I of course is denied and rejected, as He is the one that has ordered for the angel to bring the book to the perspective messenger to be presented to the people for guidance. Thus we can understand here why wavering and waffling about all of what Abul Qaasim Muhammad ibn `Abdullah ρ, the last prophet and the one who bears the most resemblence to Ibrahim υ, could be a kufr that removes one from the religion.

This is why we are best to heed the message of this great man when he says,

و الذي نفس محمد بيده لا يسمع بي أحد من هذه الأمة يهودي أو نصراني ثم يموت و لم يؤمن بالذي أرسلت به إلا كان من أصحاب النار

"By the One in whose hand is the soul of Muhammad! There is not a single one who hears of men from this Ummah of the Jews or the Christians, then he dies and he didn't believe in that which I was sent with except that he will be one of the companions of the Fire." [48]

ALLAHU AKBAR! If this is the penalty that the Messenger ρ pronounced on those non-Muslims who deny his prophetic mission, what about those that espouse to be Muslims and reject his way?

And lastly, Allah I has said,

يا ايها الذين امنوا لا ترفعوا أصواتكم فوق صوت النبي و لا تجهروا له بالقول كجهر بعضكم لبعض أن تحبط أعمالكم و أنتم لا تشعرون

[48] Sahih Muslim with the Sharh of an-Nawawi, V. 1, p. 186

"O you who believe! Do not raise your voices above the voice of the Prophet. And do not speak in loud voices to him as you would to one another, so that your deeds might be cancelled while you do not perceive it."[49]

If just raising the voice above the voice of the Messenger ρ without them realizing it could nullify ones needs, then what of those who reject his Shari`ah? What about putting aside his judgement and guidance for some other system or regime? Allah I has warned us,

قل إن كنتم تحبون الله فاتبعوني يحببكم الله

"Say, if you really love Allah, then follow me. Then Allah will love you..."[50]

So it is not enough just to say that we love the Messenger ρ. Obedience is a prerequisite to any type of authentic loyalty and love.

THE CONNECTION BETWEEN RULING WITH THE SHARI`AH AND BEING CONTENT WITH ISLAM

It is easy to see the allegiance of anyone when he professes a belief by how dedicated he is to that belief. One who espouses socialism would naturally strive and put forward all of his or her efforts to see that a socialist state came to fruition. Any one who would claim to be a socialist and would not like socialism to rule could easily be excused as a hypocrite or undedicated to his cause.

[49] Surat ulHujuraat, ayah 2
[50] Surah Aali `Imraan, ayah 31

This exact same thing could be said of the devout Jew. By looking into his scriptures, the ultra-Orthodox Jew cannot help but envisage a Torah-based state as the natural fulfilment of all of his devotion and desire for his religion. Any ultra-Orthodox Jew with any real zeal for his religion would want to see that his religion is dominant and never humiliated or made to be second best to anyone or anything else.

The Muslims match this same view in their love of Islam. This view was not just an opinion that originated from Muslims, but it is the speech of Allah I that has been revealed from where we take this opinion,

هو الذي أرسل رسوله بالهدي و دين الحق ليظهره على الدين كله و لو كره المشركون

***"He is who sent His Messenger with the guidance and the religion of truth, that it should be victorious and superior over all other religions, even though the pagans hate it."*[51]**

Al `Allamah Shaikh ul-Islam Ibn Taymiyyah al-Hanbali رحمه الله also makes the link between the Shari`ah and Islam,

"Islam means to surrender to Allah alone. So whoever surrenders to Allah and to other than Allah he is a mushrik (pagan). And whoever does not surrender to Allah, he is arrogant to worship Allah. The Mushrik (pagan) and the arrogant are both kuffar (unbelievers). To surrender to Allah I alone includes inside it that you have to obey Him alone. This is the Religion of Islam and Allah does not accept any other than it. This can be done when Allah is obeyed at anytime with whatever He ordered you do at that time."[52]

[51] Surat us-Saff, ayah 7
[52] Majmu`a Fataawa vol. 3, Page 91

From what Allah I has said above, as well as the words of one of the great scholars, it can be understood easily that Islam and the Shari`ah are directly related. If one implements the Shari`ah, it is precisely due to the fact that he sincerely believes in Islam, takes the above ayah seriously and wants to see that the ayah is always being fulfilled. If one doesn't want the Shari`ah, or desires other than the rule of Allah I, then that person is a traitor and his obedience to other than Allah I is shirk.

**The Imaam of Ahl us-Sunna walJama`ah,** Shaikh Abu `Abdullah Ahmad Ibn Hanbal ash-Shaibaani [53] رحمه الله proved this point when giving his tafsir of ayah 31 in Surat ut-Tawba,

اتخذوا أحبارهم و رهبانهم أرباباً من دون الله

***"They took their rabbis and priests as lords besides Allah*[54]** *is trying to prove to obey other than Allah is Shirk."*

قال قلت إنهم لم يعبدوهم فقال بلى إنهم حرموا عليهم الحلال و حللو لهم الحرام فاتبعهم فذلك عبادتهم إياهم

---

[53] 164-241 AH/781-855 AD.This great Imaam was known as the Imaam of Ahl us-Sunna walJama`ah and was known for his revolt against the Mu`atazila governments of Mu`atasim and Ma'mun during the time when the status of the Qur'an as uncreated revelation was under attack. His school of thought, although the smallest in the Muslim world today, is still respected for its' contribution to the terminology of Tawhid. He was the first one to use the technical terms Rububiyyah (Lordship) and Uluhiyyah (Divinity). It was also the Hanbali scholars who made up all of the rest of the Tawhid terminology, i.e. Haakimiyyah (Legislative power), alAsmaa' was-Siffaat (Names and Attributes), Usul ut-Tawhid (Principles of Tawhid) and so forth. The great Imaam Ahmad is responsible for the monumental work known as Musnad and is known for his memorisation of 1 million hadtih.

[54] Surat ut-Tawbah, ayah 31

"Adi Ibn Abi Haatim τ said in regards to the verse, 'Truly, they did not worship them.' The Prophet ρ said,

'They most certainly did. They made the haraam for them the halaal and they made halaal for them the haraam, then they obeyed them. So that is how they worshipped them.' "[55]

"The hadith says that if they obeyed them, it is shirk. There is no mention that they 'said' that they were lords besides Allah.

"A sign for a Muslim that he is a real Muslim and happy about his Islam is that if Allah ruled or ordered or forbids, he must be happy. There is no resentment in his heart and he surrenders and submits in full, even though it is against his whims and interests or it is against the saying of his shaikh or his group." [56]

The words of Ahmad ibn Hanbal رحمه الله have great benefit that can immediately be derived. We will just comment on a few of those benefits. We will elaborate further on those who claim Islam but refuse to make the link between the Shari`ah and Islam. Those who obey other than Islamic laws but espouse to be Muslims fall into 3 categories,

1. They either deny that Islam has laws or politics inside or they think that it is only about worshipping with absolutely nothing to do with ruling. They are kuffar. These people are those secular minded people claiming to be Muslims that insist that other social systems have a right to exist right alongside Islam, i.e. socialism, communism, etc.

---

[55] This hadith is hasan (good) and is narrated by at-Tirmidhi, hadith 3095 in Kitaab ut-Tafsir and by alBaihaqi in his Sunan, V. 10, hadith 117

[56] Madaarij us-Saalikin vol.2, p. 118

2. They agree that Islam contains everything with regards to Shari`ah and politics, but it is not enough. These people are zanaadiqa[57] (Kuffar).

3. They think Islam is sufficient, but they are not going to rule by it. They will leave the Shari`ah for the Ruler. They are Kuffar Bi ikhtilaaf-ul`Ulama (with difference among the `ulama).

SHARI`AH AND THE FIQH (WISDOM) OF HUKM (JUDGEMENT)

WHAT EXACTLY IS THE HUKM OF ALLAH I?

HUKM [58] has three portions:

1. *Legislation:* Defining what is Halaal and what is Haraam. This is the right of Allah I alone. Whoever delves into this level has committed major shirk without doubt.

---

[57] A zindiq is a person that says and/or does major kufr, and when presented with correction, denies that he ever made such a statement. Such people should be killed, even if they repent or say that they repented. This is according to the ijmaa` of the Ummah. Please see Majmu`a Fataawa, V. 28.

[58] Hukm comes from the literal root, 'hakama,' which means *'to judge, to legislate, arbitrate, judge in a matter.'* The meaning of legislation is used in the Shari`ah sense only with Allah I. So when we see verses that make reference to the word hukm and Allah I, then the verse is referring to legislation. And when the verse is referring to people and the word hukm is used, it is known as judging. This is because in the Qur'an, the human being is never given the right to legislate, but he is given the right to judge by what Allah I has revealed for him to use in all of his worldly affairs.

2. *Judging /Ruling according to man-made law:*

a. Judging *<u>all the time</u>* without Allah's I Law. This is replacing the Shari`ah. This man is a kaafir

b. Judging *<u>time to time</u>* without Allah's I Law for earthly benefit, but the Shari`ah legislation is intact. This man is still a Muslim and the ruling of Ibn `Abbas τ applies to him.

3. *Implementing/Execution:* the police force and security authorities represent this level. The ruling concerning these people is that some are kaafir and some are Muslims who have committed kufr duna kufr (a minor kufr). They are a group of kufr. They are neither legislating nor judging but they are from a group that enforces kaafir law. They give weight to the bid`ii law and sacrifice for it. They are closer to kufr than imaan.

[59] Surat ulKahf, ayah 26, Surah Yusuf, ayah 40

THE RELATIONSHIP BETWEEN THE GOVERNANCE OF ALLAH I AND THE RULER ON EARTH

As we know, Allah I ordered Adam υ to control Earth and He I sent a Shari`ah to be applied on each nation by one of His I Messengers τ who was sent by His I order, as he mentioned,

ثم جعلناك على شريعة من الأمر فاتبعها و لا تتبع أهواء الذين لا يعلمون

"Then, We put you on a Shari`ah from the whole order. So follow it and do not follow the desires of those who do not know."[60]

In all of His wisdom, Allah I did not entrust an individual other than a prophet υ to supervise or implement His I Shari`ah. Thus after the demise of all of the prophets τ, who were infallible, it became incumbent upon everyone to rule by the Shari`ah as a group. Those ruling the group are called the people who have the right to rule. This is why Allah I in the Qur'an did not ask creation to obey a ruler alone for the sake of Himself I.

He I said,

يا أيها الذين أمنوا أطيعوا الله و أطيعوا الرسول و أولى الأمر منكم

"O you who believe! Obey Allah, Obey the Messenger and those in authority from amongst you…"[61]

Allah I mentioned a group of people entrusted with the Shari`ah, not just the ruler. Allah I did not say, ***"and the ruler among***

[60] Surat ulJaathiya, ayah 18
[61] Surat un-Nisaa', ayah 59

you." He said, ***"THOSE in authority from amongst you."*** He also said,

إنا أنزلنا التوراة فيها هدى و نور يحكم بها النبيون الذين أسلموا للذين هادوا و الربانيون و الأحبار بما

"Truly, We sent down the Torah, therein was guidance and light, by which the Prophets, who submitted themselves to the will of Allah, judged the Jews, as well as the righteous scholars and priests of the law."[62]

Allah I went on to mention further in the ayah that the people of the Gospel were ordered to rule by their book. He didn't say one person, but Allah I entrusted the rule to **PEOPLE,** not to one **PERSON** in particular, because the infallibility of a people comes when they are a group, as the Messenger ρ said,

إن الله تعالى لا يجمع أمتي على ضلالة و يد الله على الجماعة

"Truly, Allah Almighty will never unite my Ummah upon error and the hand of Allah is over the Jama`ah."[63]

To return to the point, Allah I said, ***"Obey Allah, obey the Messenger."*** Allah I did not say obey those in authority among you. Allah I said, ***"and those in authority among you."*** Allah I did not use the word obey as He I had in the previous two statements. The reason why Allah I merely put the word *"and"* is due to the fact that this would have attached infallibility and a source of guidance to those ruling. But those ruling do not have a source of guidance unless they follow those who the word *"obey"* was used with in the beginning of the ayah, Allah I first

[62] Surat ulMa'ida, ayah 44
[63] Narrated on the authority of Ibn `Umar in Imaam at-Tirmidhi. The hadith is also mentioned in Sunan Ibn Abi `Aasim, Tabaraani, Al-Haakim, alBaihaqi and in Mishkat with a good narration.

and the Messenger ρ second. Thus Allah I is saying that you are only to obey those in authority when they are connected with the divine authorities. When they are not connected, due to the fact that they are not infallible, then no allegiance is due to them.

This is precisely why if the ruler should decide to choose a religion other than Islam to be a part of, it is important for those people who have power amongst us to physically rise up and remove him. This is due in part to that he is no longer fitting of the part of the ayah that says, ***"those in authority amongst you."*** By this action, he has renounced this ayah and he has disconnected himself from the two evidences mentioned in the first part of the ayah by his apostasy. The people who have the right to rule are not to give fatwa for the sake of people, but to make sure that those who are in charge, including themselves, are protecting the Muslims from any foreign or domestic enemies. If the ruler becomes a kaafir for any reason or risks the lives of the Muslims for the kuffar, and the scholars or those in a position to rule fail to remove him peacefully, they must ask the Islamic army to remove him for the sake of Islam and the Muslims. Both Islam and Muslims must be preserved at all costs at all times.

This is the case even if he becomes a Christian or just by him being loyal to Christians. Once the people in authority fail to check the ruler's falsehood, willingly or unwillingly, and the Shari`ah of Islam disintegrates, then the whole country is transformed into Daar ul-Harb. It is irrelevant if it is the two Holy Places (Makkah and Madinah), or Jerusalem, which today is classified as Daar ul-Harb because it rests in the hands and under the laws of the Jews.

The Majority of the scholars of Islam, if not all, have declared any country not ruled by the complete Shari`ah of Allah I, is Daar ul-Harb with no exception to any land on this blue planet,

irrespective of the number of Muslims or the plentiful amount of masaajid. The implication for the leader that perpetrates an act of legislation in the Shari`ah is that the ruler, his scholars, his army are all a group of kufr that must be fought, stripped of power, and punished severely for what they are doing to Muslims and Islam. This apostasy is called the inflated and magnified riddah (apostasy), which affects and harms the entire Ummah. Such groups have gone against the governance of Allah I on Earth.

In conclusion, the relation between the ruler and the governance of Allah I on Earth is that the ruler is duty bound to supervise, with the help of the scholars, the application of the Shari`ah in full on Earth. If the ruler applies his own shari`ah or changes the Shari`ah, then the rest of the Muslims have to fight him to remove him, as he has apostated due to committing the grotesque act of Shirk al-Haakimiyyah. Al `Allamah Shaikh Muhammad ibn Ibrahim رحمه الله made mention of this fact when speaking of most of the rulers of his time,

"These law courts (for the false shari`ah) are now in most of the urban centers of Islam, prepared and ready, the doors open while the people flock to them, swarm after swarm. The rulers/judges (those ruling the peoples) judge and legislate between them by what is in direct opposition to the legislation of the Sunna and the Book from the judgements of that law that has been canonized. And they have made it an obligatory thing and established it and compelled them (the people) to it. Then which kufr is above (more amplified and greater than) this kufr? And which opposition to the testimony that Muhammad is the Messenger of Allah is after this opposition?" [64]

Shaikh ul-Islam Ibn Taymiyyah رحمه الله, when commenting on this same phenomenon made the following conclusion,

[64] Tahkim alQawaanin, p. 7

"We say that any group who departs from any of the apparent indisputable laws of Islam that have been handed down from generations to generations of Muslims without any interruption, then it is incumbent to fight against such a group according to the consensus of Muslim imaams (leaders of Islamic schools of law). This is to be the case even though they recite the two testimonies." [65]

Those from amongst the scholars and others that follow, agree with and obey the legislators have committed Shirk at-Taa`a (shirk in obedience) and are pagans. The evidence is,

و إن أطعتموهم إنكم لمشركون

"And if you obey them, you are mushrikun (pagans)." [66]

Another evidence for the Shirk in obedience is,

اتخذوا أحبارهم و رهبانهم أرباباً من دون الله

"They took their priests and rabbis as lords besides Allah." [67]

Without doubt, those that have replaced the Shari`ah are kuffar and indeed must be fought. Al `Allamah Ibn Taymiyyah رحمه الله stresses the point when he mentions the proper action that should be taken with these types of rebellious groups, [68]

"The apostates, they must be killed until they go back from whatever makes them apostates and whoever fights from them he should be killed. Even those that do not fight from (amongst)

[65] Majmu'a Fataawa, V. 4, Baab ulJihaad
[66] Surat ulAn`aam, ayah 121
[67] Surat ulMa'ida, ayah 31
[68] This fatwa is found in Majmu'a Fataawa, V. 4, under Baab ulJihaad

them should be killed like the old man, the blind, the very weak and their women according to the majority (jamhur)."[69]

"So if they recite the shahadatain (two testimonies) but abstain from observing five daily prayers they must be fought against until they offer prayers. And if they abstain from paying zakah, it is incumbent upon Muslims to fight them until they start paying zakah. Similarly, if they abstain from the fasting of Ramadaan or pilgrimage to the ancient House of Allah or refuse to prohibit the abominations or adultery or gambling or drinking and other things forbidden by the Islamic Shari`ah; or if they refuse to enforce the laws of the Qur'an and Sunnah pertaining to life, property, honour, management of affairs and other such things; or if they refrain from enjoining good, forbidding evil, and fighting the disbelievers until they embrace Islam or pay jizyah (poll tax) in submission." [70]

From all of this evidence, how could it be that any one who believes in the Oneness of the Lord of the Universe could ever be content with the governance of a man when Allah I has the most right to legislate and dictate laws for His creation, who all come to Him as slaves?

THE UNDERSTANDING OF BAI`A AND THE CONTRACT BETWEEN CREATOR AND CREATION

It is understood in the Shari`ah law that the ruler and the people ruled are under contract. The subject of this contract is the Shari`ah. Allah I is the Ultimate Witness and Sanctifier and Legitimiser of the regime in as much as it is spelled out under

---

[69] Majmu` Fataawa vol.28 page 414

[70] Majmu`a Fataawa, V. 4, Baab ulJihaad (The Chapter of Jihaad).

His I guidelines. Allah I acts as the link between the people, the ruler and the Shari`ah, since He designed and sent it and made it the subject of oath for His creation to be obedient.

He I also made Himself and the Shari`ah the link between people. He I allows people to appoint a ruler to govern them by the Shari`ah and ordered the ruler to only rule by His I laws. In this, The Most Merciful I authorises him to punish people if they are disobedient to Him I while the ruler is doing his job. He I warns people not to follow the ruler if he orders other than the Shari`ah and He called disobedience to His I law by blind following the leader shirk. The contract between the people and the ruler is called bai`a.

The subject of the bai`a is the Shari`ah. These are the links that no one is to have except as a first priority listed from what was mentioned. The links between people are a third priority after Allah I first and the Shari`ah second.

Relating this to our matter now, we can easily focus that there is no legitimate bai`a to any ruler tampering with the Shari`ah as he has nullified the contract by his own doing. In Islamic law, the people should replace him for the system of justice to carry on. If the people refuse to do so, and the army supported him, the whole country becomes Daar ul-Harb, which is loud announcement for the enmity to be between Allah I and His creation due to their disobedience. Trustworthy scholars should then pronounce him an apostate and his groups as a group of enemies of God, but not all of them are enemies, as surely some are only sinners.

Scholars who fail to deliver the proper verdict also become enemies, regardless of their knowledge or their acts of religious worship. Jihaad then becomes compulsory for every Muslim

according to each one's ability until the state is restored with a proper ruler and the state is brought to order. The people who cannot do jihaad, help the Mujaahidin or preserve their religion but can emigrate, they should do so.

Today's example is the case related directly to the above-mentioned ruling. All of the rulers today are ruling without the divine oath of allegiance. These circumstances first came about when the `Uthmaani Khilaafa was ruling the earth. Even though these rulers had their shortcomings, it was not the case that they were replacing the Shari`ah and implementing other than what Allah I sent down. But as the fire of nationalism was fuelled in the hearts of the Egyptians, and then not soon after the nation that would later call itself Saudi, these nations would actually go out of the divinely sanctioned rule of the `Uthmaani rulers. These same rulers from the `Uthmaaniyyah kept Jews from polluting Palestine with their presence. They also kept the borders open to all the Muslims who hoped for immigration to Dar ul-Islam, provided people with sadaqa and zakah [71] from the Islamic treasury and established Islam through jihaad and conducted long battles against the Russians and the rest of the kaafir world.

These same disobedient and tyrannical nations mentioned above would help foreign powers to overthrow the khilaafa and bring to an end 1300 years of justice to the Earth and usher in a swift 75 years of pure barbarity that cannot even be attributed to the Tatars.

These people, not only did they conspire against the rightful Islamic rulers, but they also took their power by force. This force was used to overwhelm people who refused to give their

[71] Sadaqa is the voluntary charity given to the poor, whereas zakah is the obligatory charity.

bai`a to an illegitimate government. Irrespective of how they came to power, their rule is illegitimate, and the fatwa of Imaam Maalik رحمه الله can prove that.

In the time of the take-over of Mansur, who took the khilaafa position with force, the people wanted to give bai`a to an-Nafs uz-Zakiyyah رحمه الله, the one who had the most right to rule the Islamic state. However, the people reasoned, how could they do this when they had already given their bai`a to Mansur. And they stated the hadith of the Prophet ρ that if there are two khalifas to kill the second one who rose up[72]. Imaam Maalik's رحمه الله fatwa was that their bai`a to Mansur was the same as that of a man who was forced to divorce his wife. Due to the fact that it was done under coercion, it is thus invalid. When Mansur heard of this fatwa, he had Imaam Maalik رحمه الله taken and tortured mercilessly. He was tortured so much that he lost the use of his arms and had to pray with his arms hanging at his sides. This is why today, some Maalikis pray in this manner, even though Imaam Maalik رحمه الله never ordered this practice.[73]

---

[72] In this section, we still don't have a right to compare the present rulers with Mansur and an-Nafs, because both of these were warring khalifas, which is not like the situation today. What took place recently was that there was a war between a khalifa and a traitor in the form of the battle between the `Uthmaaniyyah and the traitorous rulers of Egypt and Saudi family. However, we are not interested in giving a new leader a bai`a if these rulers open the borders for Muslims to emigrate, implement the Shari`ah and force the kuffar out of the lands of Islam. And only in this case can we leave the oppression that they do on a personal level between them and Allah I. But for any obvious kufr, we will have to stay firm, even if the whole Ummah gets killed for it, just as the sacrifice of the People of the Trench illustrates. Allah I also thanked them for their sacrifice.

[73] For further information, please see the introduction to Imaam Maalik's رحمه الله Muwatta.

Even though this fatwa was delivered over 1000 years ago, it can still apply today. There is no contract between our current rulers, no matter how many elections they have and irrespective of what we say or do. As long as Allah I has not recognised their authority, then it is not for us to do so either, as Allah I has said,

قاتلوهم حتى لا تكون فتنة و يكون الدين كله لله

"And fight them until there is no more Fitnah (shirk) and the religion in totality is for Allah."[74]

[74] Surat ul Anfaal, ayah 39 and Surat ulBaqara, ayah 193

THE RELATIONSHIP BETWEEN SHARI`AH AND TAWHID (MONOTHEISM)

It is very easy to understand, when we look at the verses in the Qur'an, that Tawhid and the use of the Shari`ah are related. We were able to see this understanding arise in the previous chapter. And in Shari`ah terms, it is understood that the opposite of tawhid is shirk (polytheism), thus to go against tawhid and to violate it would cause the one that perpetrated the act to become a mushrik (polytheist). Likewise, to obey and to serve is also a part of tawhid, so anyone who would obey another besides Allah I in regards to the matters of halaal and haraam would be guilty of obeying other than Allah I, which is also shirk.

This is how we understand the verse below,

و إن أطعتموهم إنكم لمشركون

"And if you obey them, you are mushrikun (pagans)."[75]

Al Haafiz Ibn Kathir رحمه الله explained this ayah,

"If you leave the rule of Allah Y and his Shari`ah for the statements of anybody else this is the real shirk. As Allah Y says,

اتخذوا أحبارهم و رهبانهم أرباباً من دون الله

'They have taken their rabbis and priests as lords besides Allah.'[76] *Imaam Tirmidhi رحمه الله made tafsir of the ayah by*

[75] Surat ulAn`aam, ayah 121

[76] Surat ut-Tawbah, ayah 31

explaining it with the incident of `Adi ibn Abi Haatim, in which he said of this ayah, 'O Messenger of Allah, they did not worship them.' Then he ρ said, 'they certainly did. They made halaal for them the haraam and made the haraam on them the halaal and they obeyed them. That is how they worshipped them.'[77]

Shaikh Muhammad al-Amin ash-Shanqiti رحمـــه الله, when mentioning this ayah, made the following comments on it,

"Thus it is made clear that they are pagans by their obedience to them (those who legislate), and this association of partners is in obedience (ta`aa), and following the legislation that contradicts and opposes what Allah Y has legislated, it is in its design, for the worship of Shaitan."[78]

This ayah, along with Surat ut-Tawba, ayah 31 really exemplifies to the hilt shirk of obedience as covered above. What makes this ayah so important is that obedience and imaan are closely related. This is why Allah Y negates the imaan of not just those who legislate, but those who willingly follow the legislators in major shirk as well.

Imaam al-Qastalaani رحمه الله, clarifies some of the reasons for the revelation of this ayah,

"It is not really that what you believe in, it is what you have according to your heart. (It is not) according to what you believe of the verses or not without you applying and obeying the rule. The sign of your belief is to follow and submit, otherwise it is not submission."[79]

---

[77] Tafsir alQur'an al`Azim, V. 2 under tafsir of this ayah
[78] Adwaa' ulBayaan Tafsir Qur'an bilQur'an, V.4, page 65
[79] Irshaad-us-Sari vol1. Page 82

Shaikh ul-Islam Ibn Taymiyyah رحمه الله explains why it is so important not to even obey the legislators, much less to approach legislation,

"It is known that imaan is accepting. Iqraar (establishment of the principle) is something that you believed in the command and the work of the heart, which is obeying. This is to believe in what the Messenger ρ has delivered and to follow him ρ in whatever he has ordered. The people should, when they accept Allah Y do as much as possible, which means that they announce Allah Y and worship Him Y. And kufr means non-belief, non-practising and non-following, whether it has denouncing, arrogance, denial or turning away. Whatever does not come into the heart, whether in the belief or in the following, he is a kaafir."[80]

Shaikh Ibn Qayyim alJawziyyah رحمه الله informs us that imaan is not just based on belief, but in the action that follows it, which is based on obedience,

"Imaan is not only what you believe in the heart, it is the belief that must have following and obeying. Hidaayah (guidance) is not that you know the truth, but that you know the truth and follow it.

"But Hidaayah (guidance) and Tasdiq (truthfulness and certainty in the news) however, means to know it and to work accordingly with it. Even if some of the people call knowledge Hidaayah, it (knowledge) is not the real Hidaayah that makes a person guided. And also when belief in the matter (news) is concerned, it is not belief which includes the imaan,"[81]

[80] Al-Imaan al-Awsaat page 180-181
[81] Kitaab us-Salah vol. 9, Page 20

فإن تنازعتم في شيء فردوه إلى الله و الرسول إن كنتم تؤمنون با لله واليوم الآخر ذلك خير و أحسن تأويلا

***"Then if you dispute in something, take it back and return it to Allah and His Messenger, if you believe in Allah and the Hereafter. That is good and the best interpretation."*[82]**

Al `Allamah Ibn Kathir رحمه الله says in tafsir of this ayah,

"And this is an order from Allah I that everything we quarrel about, we should send it back to find the original and this is from the root or the branches of the religion. It must be sent back to Allah Y and His Book and the Sunnah. As Allah said in the other ayah, "Then if you dispute in something, take it back and refer it to Allah and His Messenger."

"Whatever the Qur'an and Sunna have made a rule about and witness that, this matter is the truth (haqq). What then is after the truth except misguidance? Then the ayah continues, " If you believe in Allah and the hereafter."

"Send back all this ignorance and quarrelling to the Qur'an and Sunna if you believe in Allah. This is a proof that those who do not rule in their quarrel by the Qur'an and Sunnah, they are not believers in Him nor the Hereafter." [83]

Thus obedience to Allah I is paramount, so as not to transgress the divinely legislated bounds and to violate the sanctity of the order that Allah I has subjected this entire cosmos to with His

---

[82] Surat un-Nisaa', ayah 59
[83] Tafsir ulQur'an alAzim vol 1, page 518

might. If we wish to receive the bounty and forgiveness of Allah I, we must first put forward a rightful leader based on the principles of the Book and the Sunna. We must then obey that ruler as long as he is obedient to Allah I. If that leader should, however, slip and refuse to obey Allah I, we are no longer to obey him in his matter, as this would constitute disobedience to Allah I and lead to disaster.

THE CHAPTER OF SINS

In light of all the discussion about shirk, kufr, nifaaq, fisq, zulm and so forth, we should also strive to understand when we are going past the bounds and getting involved with these sins. Once we understand this, then we know not to go past the bounds. Once we know not to go past the bounds, we gain wisdom and become stronger in resisting these sins. We will also strive in this chapter to differentiate between the major form of these sins, which causes you to go outside of the religion, and of course the minor form, which does not cause you to go out of the religion, but nonetheless can be a major sin. We will first define what kufr is in the dictionary and Shari`ah definition.

WHAT IS KUFR AND WHO IS A KAAFIR?

Kufr (unbelief) in the linguistic sense: "It is covering something and veiling it. And all of what covers something, then it has done kufr to it. And from this, the farmer can be called a kaafir, for he covers the seed with the dirt. Likewise, Allah I has said,

كمثل غيث أعجب الكفار نباته

'The likeness of vegetation after rain, thereof the growth is pleasing to whoever (kuffar) that planted it.'[84]

[84] Surat ulHadid, ayah 20

"This means it is pleasing to the tiller, and from that the tiller is named to be a kaafir, for he has veiled the favour of Allah I. Al Azhari says,

'And His favours are his proven signs of His Tawhid. And the favours, which the kaafir has veiled, are the signs that enable the people to make the distinction that the Creator is One without partner. And likewise, he sent the Messengers with miraculous signs, books and abundant obvious proofs as a favour from Him.

'Thus whoever is not truthful to the favour, and he rejects it, then he has become a kaafir (showed unbelief) in the favour of Allah, meaning that he has covered and veiled the favour from himself.' "[85]

Shari`ah definition of kufr: It is the complete decrease of imaan and it is the opposite of imaan. It is the unbelief in Allah, Mighty and Majestic, and His favours and the kufr here has two matters, kufrun **akbar** (**major** kufr) and kufrun **asghar** (**minor** kufr). In this case, the kufr is what the person is doing by covering the bounty and favour of Allah I from himself or others.

KUFRUN AKBAR (major kufr) In general, it is disbelief in Allah I, His Angels, His Messengers, His Books, The Day of Judgement and Divine Decree and Pre-ordainment, the good and the bad of it, in total or in any of these pillars. This also includes showing what is the opposite of the belief, for example by statements, actions and expressed beliefs of kufr that nullify imaan. Also, if he is not practicing the pillars of Islam that Allah I made as an apparent sign for a person to preserve his blood, honour and money, then this as well leads to apostasy. In our

[85] Taken from Lisaan ul`Arabi, under the word 'kufr.'

time, many people think that kufr is only to belie with the tongue, but this is not the belief of Ahl us-Sunna. There are many types of kufr that Allah mentioned in the Qur'an and the Sunna, but there are six in particular that constitute the major kufr.

a. **Juhud**. This is the denial of the signs of Allah I, whether it is a prophet, a miracle, an angel or a book brought by that prophet.

It has three forms,

1. *Juhud al-Qalb (the denial of the heart)*. This is major kufr and happens to the people who have no link between their heart and their mind.

2. *Juhud al-Lisaan,* which is denying of the signs with the mouth, although the heart is satisfied with the truth. This denial is also called the juhud of arrogance and self-oppression (zulm). This is the most well known juhud for the evil tyrants. The Pharaoh of Egypt and his army remains one of history's greatest examples of Juhud al-Lisaan,

فلما جاءتهم آياتنا مبصرة قالوا هذا سحر مبين و جحدوا بها و استيقنتها أنفسهم ظلماً
و علواً فانظر كيف كان عاقبة المفسدين

"Whereas when Our signs came to them, clear to see with insight, they said, 'This is clear and obvious magic. And they denied (juhud) them arrogantly and without reason, although they were convinced of it in themselves. So see what was the penalty of the corrupt ones. '"[86]

[86] Surat un-Naml, ayaat 13-14

3. *Juhud al`Amal,* that being the juhud in action. This consists of the person not denying by the tongue, but denying by his action. This happens when he announces something opposite to what he has been told by Allah I, without contesting it directly. It is also when he acts opposite to the order deliberately, without contesting with the mouth.

The example for this type would be the individual that is a ruler and knows that the penalty for adultery in Islam is the death penalty. However, rather than implement the judgement of Allah I, he makes a rule that those who commit adultery are to be jailed only. Although he never denied the law per se, he has denied it simply by acting opposite to the order deliberately.

b. **Takdhib.** This matter here is to belie or to deny something from the words, signs or promise of Allah I, for example, the Judgement Day. There are three types,

1. *Takdhib al-Qalb,* where the **heart** rejects the truth.

2. *Takdhib al-Lisaan,* which has two forms,

a. This is to directly contest by **saying,** "*Allah I said this, but that can't be right.*"

b. This is the takdhib of **hinting** about. An example of this is if someone were to say, "Allah I said X." You then reply by saying, "No, Allah I said Y." The Mushrikun (pagans) said the same thing,

سيقول الذين أشركوا لو شاء الله ما أشركنا و لا اباؤنا و لا حرمنا من شيء كذلك
كذب الذين من قبلهم حتى ذاقوا بأسنا

"Those who make shirk (polytheism) will say, 'If Allah willed, we would not have associated partners, neither ourselves nor our fathers, and we would not have made haraam anything.' Likewise, those from before them lied until they tasted punishment."[87]

و قال الذين أشركوا لو شاء الله ما عبدنا من دونه من شيء نحن و لا اباؤنا و لا
حرمنا من دون من شيء. كذلك فعل الذين من قبلهم فهل على الرسل إلا البلاغ المبين

"And those who make shirk (polytheism) say, 'If Allah had willed, we would have never worshipped anything besides Him, neither us nor our fathers. Nor would we have made haraam besides that anything.' Likewise, those from before them did, so is it on the Messengers to give anything except the clear message?"[88]

3. *Takdhib al`Amal,* a person is doing an action that **shows** that he is denying. This example can be acted out with the following verses from the Qur'an,

أ رأيت الذي يكذب بالدين فذلك الذي يدع اليتيم و لا يحض على طعام المسكين

"Have you not seen the one who denied (takdhib) the religion? Then that is who was hard on the orphans and did not hasten to feed the poor.[89] "[90]

---

[87] Surat ulAn`aam, ayah 147

[88] Surat un-Nahl, ayah 35

[89] This does not mean that the person that doesn't feed the poor a kaafir, but this evidence shows clearly that Allah I has said that those who do the opposite of what they are told, they are doing the highest form of takdhib, which is the worse of all the forms. The rulers of today do this type of takdhib as well. If this is being done with the Shari`ah, it causes one to go out of the religion, as with the case of the rulers.

[90] Surat ulMa`un, ayaat 1-3

These simple three verses here refute the false belief that you have to do major kufr in ***speech*** before you can leave the religion due to major kufr. These verses here show that this is not the case. The verse doesn't read, ***"Have you not heard" nor "Did he not deny with speech?"*** Of equal weight as well is the one who marries his mother. This Muslim who goes and commits this act exits from the religion of Islam and becomes a kaafir. He did not have to say anything in order to leave from the religion. The actions that he advertised showed that he was denying the rights of Allah I. The verses below can fit into the general category of Takdhib,

و ما أدراك ما يوم الفصل ويل يومئذ للمكذبين ألم نهلك الأولين

"And what will cause you to know what is the Day of Sorting (Judgement)? Woe be to the deniers (of the Day of Sorting) (takdhib). Did We not destroy those before?"[91]

4. **Istikbaar**. This kufr is actually being proud and haughty towards the truth and expressing arrogance when the signs of Allah I are presented,

إذ ربك للملائكة إني خالق بشراً من طين فإذا سويته و نفخت فيه من روحي فقعوا له ساجدين فسجد الملائكة كلهم أجمعون إلا إبليس استكبر و كان من الكافرين

"And when your Lord said, 'I am going to create a human being from clay. So when I have fashioned and shaped him and breathed into him his soul created by Me, then you are to prostrate to him.' So all of the angels prostrated, except Iblis. He was proud (istikbaar) and became a kaafir."[92]

[91] Surat ulMursalaat, ayaat 13-16
[92] Surah Saad, ayaat 71-74

5. **<u>Istihzaa’</u>**. This sin is the mocking or making jest of any of the signs of Allah I. This could be in jesting about the religion of Islam, or it could be mocking something in the religion, like the veil over the face that Allah I made compulsory on the Muslim women, the verses from the Qur’an or statements and actions from the Prophet ρ. Allah I mentions the fate of such a people,

قل أ با لله و آياته و رسوله كنتم تستهزئون لا تعتذروا قد كفرتم بعد إيمانكم إن نعف عن طائفة منكم نعذبكم طائفة بأنهم كانوا مجرمون

“Say, ‘Was it in Allah, His verses or His Messenger that you were mocking (istihzaa’)? Make no excuse about it, you have disbelieved (become kuffar) after you had imaan. If we pardon a some of you, surely we will punish the others, for they were the criminals.’ ” [93]

6. **<u>I`raad</u>**. This aspect is turning away from and fleeing from whatever admonition and signs that Allah I gives to guide someone from the darkness to the light. These people are mentioned in the following manner,

فما لهم عن التذكرة معرضين كأنهم حمر مستنفرة فرت من قسورة بل يريد كل امرئ منهم أن يؤتى صحفاً منشرة كلا بل لا يجافون الآخرة

“Then what is wrong with them that they flee (I`raad) from the remembrance (the Qur’an) as if they were donkeys fleeing from a lion? On the contrary, every one of them wants that he should be given pages spread out (of the revelation). By no means! On the contrary, they do not fear the Hereafter.” [94]

---

93 Surat ut-Tawbah, ayah 65-66
94 Surat ulMuddaththir, ayaat 49-53

7. **`Inaad**. This type of kufr is to be stubborn against Allah I and His signs and to insist on keeping others or oneself in kufr. Allah I has said,

القيا في جهنم كل كفار عنيد مناع للخير معتد مريب الذي جعل مع الله إلهاً أخر فألقيه في العذاب الشديد

"I will put in the Hellfire every stubborn (`inaad) kaafir, hindering from the good and increasing in evil and doubt, who made with Allah another god. Thus I will put him in the most severe punishment."[95]

8. Istibdaal. This is the kufr of replacing the Shari`ah, and it has three manifestations, as has been listed by al `Allamah Ibrahim ibn Muhammad ibn Ibrahim[96],

i. Replacing the law of Allah I with man made laws. This is where someone actually legislates a new law and attributes it to the Shari`ah or he makes his own fabricated Shari`ah. This example is spoken of below,

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

[95] Surah Qaaf, ayaat 24-26

[96] This is the son of the great scholar al `Allamah Muhammad ibn Ibrahim. He is currently in exile and is denied his basic rights as a human being. The underground Islamic movements do not print except his books, and he is not able to leave from the Peninsula or to make contact with most of the outside world. Upon the death of his father, he was considered the most knowledgeable for the position of Mufti, but he was over ruled and removed. This particular statements of his and similar pronouncements can be found in the introduction to Tafsir Surat ulFatihah by Muhammad ibn `Abdul Wahhaab, p. 1-5 as well as Muhammad Nasib ar-Rifaa`ii's book of tafsir in Baab ulKufr and Baab udh-Dhunub, which is distributed in Syria, Lebanon and other places.

"Or do they have partners for them legislating a religion that Allah did not give permission for at all. Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment."[97]

Allah I also asked those who want to legislate or even head for the false legislators,

أفحكم الجاهلية يبغون و من أحسن الله حكماً لقوم يوقنون

'Is it the legislation of the Jaahiliyyah (Days of Ignorance) that they seek? And who is better in judgement than Allah for a people who are certain?'[98]

ii. Denying the law of Allah I without renouncing them. This is the equivalent of someone saying, *"This particular law doesn't suit this time period, but these other laws are still satisfactory."*

أ فتؤمنون ببعض الكتاب و تكفرون ببعض فما جزاء من يفعل ذلك منكم إلا خزى في الحياة الدنيا و يوم القيامة يردون إلى أشد العذاب و ما الله بغافل عما تعملون أولئك الذين اشتروا الحياة الدنيا بالآخرة فلا يخفف عنهم العذاب ولا هم ينصرون

"Is it you believe in a part of the book and you disbelieve in another part? Then what is the reward for the one who does that except for disgrace in this life and on the Day of Judgement? They will be subjected to a worse punishment and Allah is not unmindful of what you do. They are those who have purchased this life with the Hereafter. The punishment will not be lightened for them nor will they have any help."[99]

---

[97] Surat ush-Shura, ayah 21
[98] Surat ulMa'ida, ayah 50
[99] Surat ulBaqara, ayaat 85-86

Essentially, this is disbelief in one law while believing in another.

iii. Denying the law of Allah I and renouncing them. This is when someone denies the law of Allah and fails to judge by what Allah sent down all of the time.

This third type of Istibdaal is played out in the verses where Allah I says,

و من لم يحكم بما أنزل الله فألئك هم الكافرون

"And whoever does not judge by what Allah sent down, then they are Kaafirun (unbelievers)."

و من لم يحكم بما أنزل الله فألئك هم الظالمون

"And whoever does not judge by what Allah sent down, then they are Zaalimun (oppressors)."

و من لم يحكم بما أنزل الله فألئك هم الفاسقون

"And whoever does not judge by what Allah sent down, then they are Faasiqun (rebellious sinners)."[100]

Looking at the evidence in front of us, if someone is ruling by the Shari`ah and he should refuse to hand out a Shari`ah punishment in one instance due to the fact that the guilty party is his close friend, family member, etc., this is what we call the kufr duna kufr (a kufr less than kufr), a minor kufr.

[100] These verses are located in Surat ulMa'ida, ayaat 44-47

But when the person actually changes the rule, not just for that one person, but for all times to come, this is a major kufr. But if he goes and even invents a stipulation in the existing Shari`ah law; this is a kufr fawqa kufr (kufr above kufr), a major kufr without doubt.

و من لم يحكم بما أنزل الله فألئك هم الكافرون

"And whoever does not judge by what Allah sent down, then they are Kaafirun (unbelievers)."[101]

This is the completely naked and obvious kufr that is obnoxious and grotesque. This disregard for the Shari`ah earns nothing but the wrath of Allah I, and it should be something that the sincere believers stay far away from.

WHAT IS FISQ AND WHO IS A FAASIQ?

Fisq is in Shari`ah terms to do a sin with rebellion and to continue this rebellious behaviour against the nature of the soul, which is to serve Allah I.

FISQ ALAKBAR: This fisq (rebellion) takes one outside of the fold of Islam and renders the committer to be a major faasiq (outside of the fold of Islam). Such sins as these could be refusal to acknowledge and act according to the orders of Allah I, as in the case of the Shaitan. It could also be legalising what Allah I has not made halaal in addition to making haraam what Allah I has made halaal. These types of things lead to the major fisq, and Allah I will not forgive this sin, unless sincere repentance is made for it before the person dies. This is with regard to giving

[101] Surat ulMa'ida, ayah 44

people license to haraam, like alcohol, narcotics and other things.

For major fisq, Allah I has warned us,

و من لم يحكم بما أنزل الله فألئك هم الفاسقون

"And whoever does not judge by what Allah sent down, then they are Faasiqun (rebellious sinners)."[102]

Thus those who rule by other than the Shari`ah all the time, indeed they are major faasiqun (rebellious sinners that are kuffar). And for those that actually make their own fabricated Shari`ah, this is an even more enormous in their fisq (rebellion).

There could be a case when there is a small fisq with regard to the Shari`ah. This is when the ruler or the judge is already ruling by the legislation that Allah I sent down, but occasionally, he plays with the evidence in a matter and allows his earthly desires to overpower him. This is what is known as a fisq duna fisq (a fisq less than fisq), a minor fisq. But again, the Shari`ah must be applied in the first place before he could be eligible for such an exemption.

The one that makes this playing about an established practice or makes that practice law however, has done the major fisq, and there is no escaping that. Thus there is a difference between doing the fisq and being guilty of it, which is minor fisq, and legalising the minor fisq (sins like fornication, drunkenness, etc.) and what leads to them and being guilty of it, which is the major fisq.

[102] Surat ulMa'ida, ayah 47

*W*HAT IS ZULM AND WHO IS A ZAALIM?

AND WHO IS A MUSHRIK (POLYTHEIST)? Zulm is in the realm of the Shari`ah means to be doing sin in which one is oppressing himself, for the word zulm means oppression. And the one doing the zulm is not oppressing Allah I, but indeed he is oppressing himself.

ZULM ALAKBAR: This is the zulm that renders the doer a major zaalim (a zaalim outside of the religion). This type of zulm could be shirk and/or kufr, and can be played out in worshipping idols, those inhabitants of the graves, previous ancestors and even government regimes and systems. This is why Luqman υ, in the Qur'an said,

يا بنى لا تشرك با لله إن الشرك لظلم عظيم

"O my little son, do not associate any partner with Allah. Truly, shirk (polytheism) is an immense zulm (oppression)."[103]

Thus Allah I in this ayah labeled the major shirk to be an immense oppression (zulm). The one that does this zulm can also be an oppressor to others, for example ruling them with a fabricated Shari`ah, or even legalising and making it allowable for them to be ruled by a man-made system.
This is why Allah I has told us,

و من لم يحكم بما أنزل الله فألئك هم الظالمون

"And whoever does not judge by what Allah sent down, then they are Zaalimun (oppressors)."[104]

---

[103] Surah Luqmaan, ayah 13
[104] Surat ulMa'ida, ayah 45

Thus this is the magnified and outrageous zulm (oppression). What greater oppression could there be then to rule all the time without the law of Allah I, or to make your own oppressive regime and force it on the populous? This is great and enormous zulm (oppression). In some cases, this could be a minor zulm (oppression), for example, when a ruler who rules by the Shari`ah is taking the rights away of the people, or depriving the people of their rights in property, livestock, etc.

But if the zulm should touch the right of Allah I, it is major and is nothing but an announcement of apostasy. Without any doubt, the absence of Shari`ah today is subjecting us to this great and magnified type of oppression.

WHAT IS SHIRK (POLYTHEISM)

Shirk is the establishment of a partner for Allah I, Mighty and Majestic, in His Uluhiyyah (Divinity), Rububiyyah (Lordship), Haakimiyyah (Legislative right and power) or Asmaa' was-Siffaat (Names and Attributes). This shirk could be in just one of Allah's I aspects of tawhid, or all of them together.

SHIRK ALAKBAR (major shirk) It is the bearer of major kufr. Thus whoever commits this, then it causes all of his good deeds to be abrogated in totality. In reference to the Muslim who commits this act, the doer of major shirk leaves from the fold of Islam and he is forever in the Fire, with the intercession of those whom Allah I has given permission to make intercession not benefiting him in the least. The shirk here that is made reference to is of course the shirk that leads to major kufr. Thus, it goes to say that every kaafir is doing some type of major shirk and every mushrik (pagan) is doing some type of major kufr.

سنلقى في قلوب الذين كفروا الرعب بما أشركوا با لله ما لم ينزل به سلطاناً و مأواهم النار و بئس مثوى الظالمين

"We shall put terror in the hearts of those who are kuffar, for they associated partners with Allah, for which He sent down no authority. And their home is the Fire, an evil dwelling for the Zaalimun (oppressors)." [105]

This evidence here stands as a proof that the kuffar are doing major shirk and are indeed mushrikun (pagans). [106]

WHAT IS NIFAAQ AND WHO IS A MUNAAFIQ?

Nifaaq (hypocrisy) is the contradiction of the internal with the external. And this has two matters, major and minor. In the Arabic language, it comes from the word nafaqa, which means the tunnel, which joins two unseen places together. You cannot see it, but it does exist.

**NIFAAQ Al`ITIQAADI (major nifaaq in belief)** This nifaaq in the Shari`ah means the internalisation of kufr and showing Islam on the outside. The presence of major nifaaq is what contains the presence of major kufr. From wherever it comes, it abrogates imaan from the perpetrator, and the perpetrator will be forever in the fire on the Day of Judgement and in addition to this, he will be in the bottom of the Hellfire.

إن المنافقين في الدرك الأسفل من النار و لن تجد لهم نصيراً

[105] Surah Aali `Imraan, ayah 151

[106] This is not the main focus of the book, discussing all of these matters candidly. If you would like in depth information, please see our research, ***Imaan.***

"Truly, the hypocrites are in the bottom of the Hellfire. And you will not find any helper for them."[107]

With regard to the Shari`ah, hypocrites were exposed in two matters mentioned in the Qur'an.

First, was when some of them preferred to be ruled when it suited them by the Taghut, by a Jewish leader by the name of Ka`b ibn al-Ashraf. This man was ruling by other than the law of Islam.

Second, when the ayaat of jihaad were revealed, they hindered the path of the Mujaahidin and tried to prevent the believers and the Mujaahidin from attending jihaad. This evidence and their excuses can be found in Surat ut-Tawba. You can also observe how Allah I labeled them as hypocrites.

So if anyone wants to expose the hypocrites of today, he may simply refer to the two matters mentioned above, those being

1. Supporting the Shari`ah

2. Supporting jihaad.

The hypocrites of today can be exposed by the same two reasons, but under current conditions, these two matters can be joined together in one form. If you ask these people to fight for the Shari`ah of Muhammad ρ, some of them don't like the Shari`ah in the first place, so imagine if you ask them to fight for the Shari`ah of Muhammad, which they despise! Notice what Allah I says about these people who will not support the Shari`ah,

[107] Surat un-Nisaa,' ayah 145

ألم تر إلى الذين يزعمون أنهم آمنوا بما أنزل إليك و ما أنزل من قبلك
يريدون أن يتحكموا إلى الطاغوت و قد أمروا أن يكفروا به و يريد
الشيطان أن يضلهم ضلالاً بعيداً و إذا قيل لهم تعالوا إلى ما أنزل الله و
إلى الرسول رأيت المنافقين يصدون عنك صدوداً

"Have you not seen those who claim that they believe in what came down to you and what came down before you? They seek that they make judgement to the Taghut (false legislators) and they were already ordered to disbelieve in it. And Shaitan seeks to lead them far, far astray. And when it is said to them, 'Come to what Allah sent down and to the Messenger,' you see the hypocrites turn away from you with strong aversion." [108]

As far as the Shari`ah goes, the main emphasis rests on the issue of major nifaaq.

NIFAAQ ALKHISAAL (minor nifaaq in morals) It is the minor nifaaq that does not cause one to become a kaafir because of it. This nifaaq can be manifested in ways such as arguing in an argumentative and evil manner, not fulfilling trusts that have been given, telling a lie every time that you speak and other things of this nature.

Mention hadith of the Prophet about hypocrites

We should be particularly careful about accumulating these types of nifaaq, as they can most assuredly lead to major nifaaq if not monitored.

---

[108] Surat un-Nisaa, ayah 60-61

WHAT IS ZINDIQ AND WHO ARE THE ZANAADIQA?

The Zindiq is the Munaafiq person who has firm conviction in the beliefs of kufr and the person in time reveals the hatred to Islam. In the last chapter, we spoke of the major Munaafiq as the one who has major kufr hidden in his heart and pretends to be a Muslims externally.

The difference between the two is that the major Munaafiq can only be exposed either by Allah I doing so in this life, or exposing him in the Hereafter.

But the Zindiq Munaafiq reveals his kufr and calls to it. He knows that what he is doing/saying/calling to is open kufr.

In the Shari`ah, the zindiq can be killed without giving him a trial, as he is dishonest and denies the kufr that he says. This person must be dealt with in a systematic and harsh manner so that the fitnah that they bring can be stopped. If not, others will do major nifaaq and insist that they are not doing nifaaq and are entitled to life.

An example of one who is a zindiq munaafiq is the one who wanted to be ruled by Ka`b ibn al-Ashraf, and when `Umar τ got wind of this, the man was killed without repentance. When the Prophet ρ questioned regarding what was done by `Umar τ, the following ayah was revealed,

فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم

'No, by your Lord (Muhammad ρ), they will not believe, until they make you the judge in what they differed about...' " [109]

---

[109] Surat un-Nisaa', ayah 59

Thus Allah I supported the decision of `Umar.[110] This is due to the fact that the man announced his nifaaq, thus he was a zindiq. This was also like many of the deviant people who used say things contradicting the Qur'an, and when they were brought into the presence of the Shari`ah court or the Khalifa, then they will denied that they had said that thing.

Such an example can be played out with Jahm ibn Safwaan and Ghaylaan alQadari [111], with the later of the two being killed for his constant display of nifaaq. This was a mercy for the Ummah and a solution to the confusion that he had caused.

GOING OUT AGAINST THE SHARI`AH

WHO WHERE THE TATARS?

Picture the Muslim world in the year 656 AH (1258 AD). The Christians hordes had been beaten back by a surprise Muslim offensive in 648 AH (1250 AD), when in North Africa, a Muslim chemist/inventor constructed the first firearm.[112] Shaped like a rifle, this single shot weapon saved the Muslims from years of attempts by blood thirsty Christians at complete extermination of the Muslims.

---

[110] For more information, Please see Jaami` alAhkaam, Jaami` alBayaan, and Adwaa' ulBayaan under the tafsir of this ayah.

[111] Ibn Safwaan is the founder of the Jahmiyyah and alQadari is the founder of the Qadari, both being deviant movements that hide behind Islam.

[112] See 1987 ***Guiness Book of World Records***

Science at this time was thriving. The Muslims cities were teaming with hospitals and laboratories. 235 AH (859 AD) had come and gone and the great scholar Abul Hasan رحمه الله had invented the telescope, years before Galileo was even born.[113] The believers in the One Holy God had already sailed from West Africa and past the 'black expanse (the Atlantic)' into the West Indies to bring the message of Islam.[114] We had spread eastward, and in this time, Korea had a large Muslim population, along with Tibet and China in the South East of Asia.[115]

Intellectual inquiry and scientific research were the order of the day. The city of Baghdaad in particular, was bursting at the seams with scholars in Islam and others from the starved hills of Europe, who came to try to learn how to bathe, how to read and how to use the zero in mathematics. Biology was an admired subject as well as botany. The great scholars of Islam, al-Haafiz Ibn Kathir, **Shaikh ul-Islam** Ibn Taymiyyah, **Shaikh ul-Islam** Ibn Rajab al-Hanbali, **Shaikh ul-Islam** Ibn Hajar al`Asqalaani, al `Allamah Ibn Daqiq al`Eid, **Shaikh ul-Islam** Imaam an-Nawawi, al `Allamah Ibn Qayyim and al `Allamah Muhammad `Uthmaan adh-Dhahabi رحمهم الله all lived around this time period. The bifocals had already existed for over three hundred years. The Jews, long singled out for destruction in mass by the Christians, were living in `Iraq and experiencing there and in Spain, what Jewish scholars would later call 'The Golden Age of Judaism.' Alas, it was not meant to last.

In that fateful year, a dark cloud issued forth from Central Asia. Men wearing fur garments and mounted on horses and camels moved swiftly, their objective to plunder and destroy. Targets

[113] See ***The Struggle within Islam*** by Rafiq Zakariyyah in the appendix
[114] Please see, ***Discovering America,*** by Zvi Dor in appendix
[115] Please see, ***History of the Arabs*** by Philip alKhouri Hitti in appendix as well as ***ar-Rihla*** by Ibn Battuta

were picked out, treasure was sought and women were looked for so they could be raped. Baghdaad became the sight for this drama. The Tatars land in Baghdaad, and begin a campaign of burning books, mass execution of scholars, in addition to the murder of the Khalifa Mu`tasim and his family. The Shi`ah faction had known they were coming and had made a deal with them. If the Tatars spared them, they would go into a treaty after the spoils were divided up.

The city of Baghdaad saw incredible horror, as Qur’ans and books of hadith were burnt in piles and bodies were buried in mass graves. Laboratories were no longer the places to pass time in. Now the people were in hiding. The masjid was no longer safe, as most buildings had at this time become battle bunkers. Guerrilla warfare and street terrorism became common occurrence.

The Shari`ah was no longer in place to protect the interests of the Muslims and the world. Muslim women fell into the hands of the evil ones, being taken as treasure and enjoyed as concubines. What followed next was a period of great darkness and oppression. These were days where the Muslims had no Khalifa to run their affairs. We became fragmented and broken up into pieces and fractions. This devastation was unbearable for some, who died broken hearted. The only rule came from the marauding band from Central Asia that at first had no religion, no beliefs per se and no message to give to the world. These people were known to just merely wander place to place. Once they ran out of resources, they would sack other civilisations, consuming their natural resources until they were exhausted and leaving the people in a lurch when they finished. Libraries were burnt to the ground, as they weren’t interested in reading or education, scholars were killed, for the people wanted to hear no wisdom.

You may ask why we are retelling this ugly tragedy in Muslim history, which the civilisation in Iraq never fully recovered from. We are telling this story because this is the only time in history when Muslims were without a khalifa and there was no Shari`ah being implemented. Actually, there is one other time when these events took place. That time is now. Any time Muslims today want to talk about the state of things, the only point in history that we have to compare it with is the time of the Tatars. Why? These people came, attacked and humiliated the Muslims, carved the Muslim world into pieces and then ruled the people with their own law code. On top of all of this, these people took some laws and ideas from Islam, mixed it with their ideas and called themselves Muslims and their laws Islamic under the guise of Shari`ah.

Today is the only example that we can compare with that one. However, there is a significant difference. In the time of the Tatars, it took a few years to get a khalifa reinstated. Today, it has been 75 years and we are nearly getting comfortable without a Muslim ruler over all of us. In the times of the Tatars, many scholars had been killed and were afraid to speak out. But Shaikh Ibn Taymiyyah, as well as his students Ibn Kathir, Muhammad `Uthmaan adh-Dhahabi and Ibn Qayyim رحمهم الله were not afraid to speak the truth, even with their lives in danger.

The situation in front of them was observed and looked into. Fataawa were prepared to teach the Muslims how to deal with and recover from this awful setback. In the books of these noble men, volumes of work are left behind, as a testament to the work they did in those times of darkness, and as a code book for the day that these events might ever arise again. These events describe the actions of the Tatars, those ruling by other than the Shari`ah. Some of them prayed, fasted, went on hajj and the like, but the judgement still remained the same. All the trustworthy

scholars in days of the Tatars classed the ruling Tatars as kuffar exactly because of the issue of Haakimiyyah. What we would like you the reader to do, is to take the characteristics that Ibn Taymiyyah رحمه الله and the other scholars of his time mentioned about the Tatars, and see if you can match them to our condition today and the condition of our rulers. You can decide and see things for yourself.

Look at the perspective of the scholars and decide what we should do based on their words and the evidence that they give. As this is the only other time we have to compare to today, when there is no Shari`ah and no khalifa, it is reasonable to believe that the solution lies in the same guidelines that these righteous scholars implemented.

EXAMPLES OF THE OLD TATARS AND THE NEW TATARS

Shaikh Ibn Kathir رحمه الله narrates, *"Some people talked about how to fight the Tatars because they are showing Islam and speaking of it and they did not give allegiance to our Imaam, so we can class them as bughaa (wrong doers) to fight them. This is due to the fact that they were never under oath of him and they disobeyed him. The answer from Ibn Taymiyyah was,*

'These Tatars are from the same class as the Khawaarij who went out of `Ali and Mu`awiya, and they claimed they had more rights than both of them. They also claimed that they were closer to the truth than other Muslims. They (the Tatars) blame Muslims for their sins and negligence. Meanwhile, they are to be blamed with what is more severe than what they have blamed on others (i.e., they are ruling by the books of the Tatars and not by the Shari`ah). So the scholars and the normal people have awakened.'

"Then he (Ibn Taymiyyah) رحمه الله said,

'If you see me in their (the Tatars) sight, kill me, even if you see I have put the Qur'an on my head [this fatwa was issued in the heat of the battle of Shaghhab in year 702 Hijri (1303 AD)].' "[116]

Over time, until the Shari`ah ruled the land, the Tatars and all other dissidents were fought until they either laid down their arms, or they were killed.

Ibn Kathir mentions here how Ibn Taymiyyah رحمهما الله, the **real** salafi, is fighting for the Shari`ah to be established. He narrates the following,

"In the beginning of Dhul Hijjah, year 704 Hijri (1304/5 AD), ***Shaikh ul-Islam*** *Ibn Taymiyyah betook his friends to a mountain called Jerud, and Qasrawaniin and with him was one of the noble people named Zayn ud-Din Ibn `Adnaan. When they reached these people, they asked them to make tawbah (repentance) to Allah and they compelled them to rule by the Islamic Shari`ah. And then he came back victorious, may Allah have mercy on him.*

"In year 705 AH (1306 AD), Ibn Taymiyyah went into the army and in Muharram, they went back to the same place as before and the Raafidi (Twelver Shi`a) had killed many people. They (Ibn Taymiyyah and the brothers with him) killed many of the Rawaafid (Shi`a people) and took over a lot of land. And because Ibn Taymiyyah attended this battle, there was a lot of good that happened to the people and the Shaikh exhibited a lot

[116] alBidaayah wan-Nihaaya, V.14, p.20, Fataawa regarding the Tatars

of knowledge and courage in this battle. The hearts of his enemies, those being the knowledgeable ones and scholars, were filled with rancour and hatred not to mention grievance."[117]

Due to the reprehensible Tatars, even hajj, one of the five pillars of Islam, was made a great trial and more difficult than it needed to be. People abusing their status and power were preventing people in this time from the house of Allah I. Al-Haafiz Ibn Kathir رحمه الله narrates our pathetic state,

"In the year 730 Hijri (1330 AD), Ahl ul-Bait [the descendants of Muhammad ρ] used to stop people from hajj and scare people. In that time, the Turks were the ones defending Islam and Muslims and preserving peoples rights as well as sacrificing their blood and money."[118]

Now let us observe our state today. In this day and time, where is the Shari`ah and where is our khalifa? Where is the khilaafa system? The Tatars of today have raised their heads and have swooped down on the unsuspecting Muslims again. The lands of the Muslims have again fallen into foreign hands, with our women being raped and abused beyond belief. The kufr is so great, its' actual size and ramifications are known entirely only to Allah I. This is how great it has become. Listen to the words of one of our martyred brothers, al-Ustaadh Muhammad `Abduls-Salaam Faraj رحمه الله,[119] who paid with his life for speaking about the Tatars of today,

---

[117] Ibid., V.14, p.29
[118] ibid., V. 14, p.119
[119] Brother Faraj was murdered by the evil regime of Egypt in 1982 for speaking for the truth and standing up. To this day, he is still respected among those who believe in the truth and want to follow it. He was a former teacher in the school of alAzhar and was well respected among the faculty.

"With regard to the rulers of this era, you can count the doors of kufr that they came out from that caused them to apostate from the religion of Islam."[120]

The Ustaadh stated in another place,

"The rulers of the Muslim lands today have apostated from Islam. They have been brought up over colonial tables, be they Christian, Communist or Zionist. What they carry of Islam is nothing but names, even if they pray, fast and claim to be Muslims.

"It is clear from Ibn Kathir's tafsir of the ayah, 'Do they then seek the judgement of Jaahiliyyah,' that he did not make a difference between the one who did not judge by what Allah sent down and the Tatars. In fact, despite the fact that the Tatars ruled by al-Yaasiq, which was taken from various religious laws, like Judaism, Christianity, Islam and others. And it had laws that he (Genghis Khan) made up from his own desires. There is no doubt that it is less criminal than the laws laid down by the West, which have nothing to do with Islam or any other religious laws."[121]

So here we are again, at the exact same scenario that we had hoped to avoid since the year 656 AH (1258 AD). We have these rulers in front of us, who some of the scholars of Islam have classed as worse than the Tatars, for the Tatars were worshipping a god. These rulers are bringing no god, but pure atheism and sheer desires. But just incase you would like a second opinion, or you need more evidence than one man, we will present a few more examples about the state of our rulers.

---

[120] alJihaad, alFaridat ulGhaa'iba, p. 9
[121] ibid., pgs. 9 & 11

The brothers `Umar `Abdur-Rahmaan[122], Naajah Ibrahim[123], `Isaam ud-Din al-Darbaalah and `Aasim `Abdul-Maajid [124] had this to say on the topic of the rulers over the Muslim lands in this era,

"And the rulers of today have given their allegiance to the east and the west, both of which are kaafir. And all of the love is given to the Jews and the Christians. The hatred with pure animosity, warfare and plotting and deception are used on Islam and its people. And they have in this time left the judgement of the Book of Allah. They have replaced the Divine Revealed Law and on top of all of that, they claim that they are Muslims. They

---

[122] This Shaikh was a tafsir teacher at alAzhar and is well respected even to this day. One of his most monumental works is the 4,000 page Tafsir Surat ut-Tawbah, which scared his enemies into submission from the stinging knowledge contained within its pages. He is one of the few accredited modern Mufassirs (scholar of tafsir) today. He is presently held in jail in the United States on trumped up charges. May Allah make it easy for his release so we may benefit from his knowledge again.

[123] This particular scholar has been held in jail on more than one occasion. He was an acquaintance of Muhammad `Abdus-Salaam Faraj, as well as many of the other sincere brothers struggling for life. The other two brothers that wrote the book are also very accomplished in the field of Islamic knowledge. All are members of the outlawed group Jama`at ul-Islamiyyah. At present, there is a witch hunt for members of the group, in the east and the west, as well as the military wing, Jama`at ulJihaad, has been sent into exile in the mountains of Afghanistan. This happened when some people in the leadership began to negotiate with the government. This led to more corruption and great evil. The members of the group continue the struggle still, without those leading members that put down the sword. Shaikh `Umar `Abdur-Rahmaan, the head of the group, replied from jail that he does not support this, nor is it from his da`awa or the da`awa of Islam.

[124] These scholars wrote this book in prison, under the tyranny of the Egyptian regime. What was the reason that they suffered this hideous torture? It was for no other reason but for calling for Shari`ah and reviving the term Tawhid al-Haakimiyyah. The book was originally written in 1984 in their shared jail cell and came as a thunderclap in the face of the evil rulers.

also have the evil scholars working for them, giving them the title of 'khalifa' and al-Haakim bi amr illah ('The Law giving legislating Judge by the order of Allah').

"The youth have been ordered to give allegiance to the rulers, and to show pleasure in their kufr, make judgement to their legislation of the new religion of secularism between creation. They make the news of it and spread it around and put it in the minds of the children. The call of this new religion is that the masjid is for Allah and the rulers legislate."[125]

The brothers continue on in another place,

"And we are not pleased with other than Allah as Judge and Legislator, just as we are not pleased with other than Allah as Lord. Thus, whoever creates, then He has dominion, and whoever is Malik (King), then He judges, forbids, orders, ordains pre-ordainments, legislates and He is the Most Knowledgeable, the Most informed of all affairs.

"Thus whoever legislates besides Allah and replaces the Shari`ah of Allah in another legislation, then already he has opposed Allah in His legislation. He made himself a partner with Allah and a rival and he has left from the fold of Islam. Going out from them is compulsory and they are the rulers of today, who have apostated."[126]

ALYAASIQ YESTERDAY AND TOMORROW

When the Tatars took over the Muslim world in that sorrowful year, rather than displace all of Islam, Allah I caused them to keep some aspects. The adhaan could still be heard coming from

[125] AlMithaaq alIslami al`Amali, p.22. This work is also known in English as, ***In Pursuit of Allah's Pleasure.***

[126] ibid., p. 26-27

the masaajid and some of the laws of Islam were held in place. However, this is not acceptable to Allah I that only bits and pieces of His laws be implemented. The Tatars, in addition to borrowing the Islamic laws, also borrowed laws from Judaism, Christianity, and even had laws made up from their king, Genghis Khan, the leader of the conquering army against Baghdaad. All of these laws were then made into one codified law, in a book entitled, al-Yaasiq and sometimes-pronounced al-Yasaa. We will let Ibn Kathir رحمه الله tell us the rest of the history surrounding this man-made religion that the Tatars made for themselves,

"His book, which is al-Yasaa, ***most of it*** *differs from the Shari`ah of Allah and His Books.*[127] *When he (Genghis Khan) died in the year 624 AH (1227 AD), they put him in an iron tabuk (enclosed container); they chained him in between two mountains and left him there. His book al-Yasaa has two volumes, large in size and to be carried on a camel. In his books, there are such extracts as,*
'Whoever commits fornication, he should be killed, married or not. Whoever does a homosexual act should be killed. Whoever deliberately lied, he should be killed. The one who does magic should be killed. Whoever spies should be killed. Anyone trying to intervene between two opponents, helping one against the other, he should be killed. The one who urinates or dives into stagnant water should be killed.

'Anyone who feeds a captive or gives him clothing, drink or food without family permission should be killed. Anyone who threw any food to anyone should be killed. He should give it by hand. Anyone who wants to give sadaqa (voluntary charity) from food should eat it first, even if he wants to give

[127] These laws are just like the man-made laws in most Muslim countries now.

it to someone high in the society. Whoever eats and does not feed his guests or household should be killed. Whoever slaughters an animal should be killed. He should cut it in half and take the heart out first.'[128]

Al Haafiz Ibn Kathir رحمه الله said,

"This all differs with the Shari`ah which Allah revealed to his Messengers. Whoever leaves the decisive Shari`ah which has been revealed to Muhammad ibn `Abdullah, the Seal of the Prophets, and he goes for judgement to other than his (Muhammad's) Shari`ah which has been abrogated by his (Muhammad's) Shari`ah, he becomes a kaafir. What about those who are not ruled by an abrogated Shari`ah, but al-Yaasa, and he puts it before the Shari`ah of Muhammad ρ? Certainly, whoever does that, he becomes a kaafir unanimously, by the consensus of the Muslims.[129] *Allah says,*

أفحكم الجاهلية يبغون و من أحسن الله حكماً لقوم يوقنون

'Is it the legislation/rule of the Days Jaahiliyyah (Days of Ignorance) that they seek? And who is better in judgement than Allah for a people who are certain?'[130]

فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم ثم لا يجدوا في أنفسهم حرجاً
مما قضيت و يسلموا تسليماً

---

[128] These regulations are similar to the man-made laws today that stipulate that the animal must be stunned first then slaughtered. So the trend continues in the Genghis Khan lands of today

[129] No Muslim should differ with this consensus except the nowadays salafiyyah ('salafis') and sufiyyah (Sufis) who have a 'special' Islam for themselves.

[130] Surat ulMa'ida, ayah 50

'No, by your Lord [O Muhammad ρ], they will not believe until they make you the judge in what they differed in, then they do not find in themselves any dispute from what you judged and they submit completely.'[131]

Allah has spoken the truth in this matter."

Now today, the laws that are in place in the Muslim countries are just as and in most cases, more barbaric than the laws that the Tatars implemented with al-Yasaa. The modern al-Yaasiq is no longer just over some Muslim states. Today, it is spreading all over the Muslim world and into the farthest reaches of the world. Those who lived on islands, completely isolated from the rest of humanity, are now receiving the missionaries of the godless UN and friends. Those who had their own sovereignty are now being made to hand it over to the powers that be. Children are riddled and bombarded with the new, worldwide consumerism on television, radio and at the school that they attend, with their teachers calling to free mixing in the school.

The laws of the new al-Yaasiq aren't even trying to appear Islamic, and in fact they are directly antagonistic on the fundamental and secondary levels. We read in al-Yaasiq that homosexuality is an offence punishable by death, but in the laws of the Tatars of today, they receive full protection, and in upcoming legislation, are receiving more civil rights protection than their heterosexual counterparts. Genghis Khan and his book discouraged fornication and adultery.

The Genghis Khans of today uphold it as a sacred virtue. Those that do not want to subject themselves to this 'honour' are singled out as anti-social and snobs. Magic was rewarded with death in times past. But looking today, we find sizeable numbers

[131] Surat un-Nisaa', ayah 65

of the United States military not only admitting to using magic, but to identifying with and being card carrying Satanists. How much worse is it today when every type of kufr and shirk is propagated and authentic tawhid is consigned to the dustbin, never to be thought of or implemented again. We see that in the United States that the age of consent among minors is 10 years old. In some other countries it is different, but all of the other countries are headed towards the lowest possible age of consent. Nothing is mentioned here about marriage or the sanctity that goes with it.

In school, sexual education is taught, as they prime the students to do reprehensible and ridiculous acts. Sexual perversion is encouraged and enforced that they may corrupt the students before adulthood. With this accomplished, they can never be strong believers in Allah I and move against the evil of man-made law. As the spell of kufr has been cast over them at a young age, they will not be able to differentiate between the reality that Allah I has given to us and the reality that we have been trained to believe. To put things in perspective, we would like to gather together the six most important points regarding the characteristics of the two barbarous hordes, those today and those back then,

a. The **religion** of the ancient Tatars and the religion of today's Tatars and what each one says about their beliefs.
b. The **system** of rule between those Tatars and ours.

c. The **internal politics** of the children of Genghis Khan, then and now, for example, loving and hating, giving oath of allegiance, etc.

d. **External politics** and their relationships with others.

e. Nature of the **army** of both.

f. What the **scholars** have said in regards to this issue.

In looking into the **religion** of the ancient Tatars, one finds that they espoused Islam, as well as the fact that once they overtook the Muslim land, some of them accepted Islam or at least some of it. But what they accepted of Islam was in the matters of worship. What was not accepted was the comprehensive tawhid, which includes allegiance, the legislation of the Shari`ah, loving and hating, fighting against the pagans and aiding the Muslims and all the other things that are to go completely to Allah I. From this, it is clear to us that they were Muslims by themselves, but fighting for the law and order of Genghis Khan.

They ally themselves and struggle with the assistance of anyone who would help them to exercise the rule of Genghis Khan and his book, even if the person assisting them is from amongst the worst of the kuffar. They will kill and massacre anybody who is telling them about the wrong they are doing or trying to remove some of their evil, even if he is the imaam of the masjid and they are part of the congregation.

Anyone, who opposes them, they take their belongings, money, children and so forth, even if they are Muslims. Their army is mixed with atheists, apostates, Jews, Christians and all other undesirable and unpalatable elements. The one thing all of these elements have in common is that they have to be loyal to the state of Genghis Khan. This is precisely why al`Allamah Ibn Taymiyyah رحمه الله made mention of them in the same category as the Khawaarij as we quoted him previously.

The problem that we see today is that the sons of Genghis are espousing Islam, and ruling by other than the Shari`ah, just as their ancestors did. They have an army teaming with atheists, Jews, Christians, fire-worshippers, homosexuals and any other heinous relics of society that you can think about. With the new Tatars, masaajid get raided, public executions happen in the street as well as common place military intervention whenever civil war looms on the horizon.

Yes, today's Mongol hordes espouse Islam and say that there is no other god than Allah I and that Muhammad ρ is His Messenger, but our new Mongols are much worse than those before. To observe their ruling, one doesn't need but to merely ponder on the words of Ibn Kathir رحمه الله mentioned above in his comments on ancient Tatars and the composition of al-Yaasiq. As we remember, Al-Haafiz Ibn Kathir رحمه الله mentioned that al-Yaasiq was a book made up of laws from Judaism, Christianity and the Islamic laws. But if we look around at that which is embracing the Muslims today, it bears no resemblance in any way. There is nothing even remotely Islamic about many of these laws. These laws of today are mostly secularist in nature and pure evil in practice. Under the Tatars, one could rest assured that adultery would be dealt with swiftly, even though some of the other laws were replaced or added to from Genghis Khan's idea and sheer desires.

These laws being brought today have no divine relation in many instances. As the law codes of the kuffar developed, they became more atheistic, as the people slowly fell away from even their own religion. Now these laws hold sway over the Muslim world, and the winds of kufr and shirk are blowing strongly, with the thunderclouds of desire and lewdness flashing. The laws of the Mongols would match the Shari`ah in some instances because they took some of their legislation from the

codes of the Divine Law Giver. But the new laws, when they match with the law of Allah I, it is in no way deliberate, but merely accidental. Even then, the application of the law is sloppy and lop-sided.

Internally, the Mongols were conditional. If realising their objectives and implementing the book of Genghis Khan meant working in co-operation with groups opposed to the Islamic belief, for the sake of preserving the way of their king, they would do so. If Muslims opposed their rule by the book al-Yaasiq, then they would be resisted, repulsed and if need be, killed. Thus the Loving and Hating for Allah I done by the Mongols was conditional and based on what most suited their needs at the time.

In today's times, the rulers aren't working for their own objective in opposition to the Islamic belief. This is because they have no Islamic belief in most cases, so how could they oppose it. What is being fought for is the upkeep and constant reinforcement of their filthy, dust-laden thrones. As long as they are able to do this, whatever tactics necessary will fit the bill, be they torture, mass slaughter or other inhuman acts that they perpetrate. Thus their tactics today can't even begin to be compared with all of what the Mongols did, as the Mongols were fighting for self-preservation and other things. The evil monsters of today are fighting the Shari`ah that they replaced and continue to fight to guard and supervise that replacement and the others that follow.

The **armies** that march under the banner of the Mongols, past and present, is exactly the same in form, but the underlying methodology is different. An example is that in 656 AH (1258 AD), the army of the ruler Genghis was composed of Jews, Christians, pagans and whatever else. They fought anyone in opposition to their doctrine and their mission. The difference

between the forces of today is that they have stopped fighting the kuffar (Jews, Christians, and pagans) altogether and concentrated their pressure solely on the Muslims. There are no gigantic armies surging towards Bosnia, India, Kashmir or Chechnya. However, the defenders of the military regimes of the Muslim world have been seen in Asyut, Aswaan, Tunis, Algiers, Rabat and so on. Their targets were Muslims in *particular,* **not** included. This is one of the chief elements that separate one Tatar from another.

The **scholars** of Islam, including Ibn Taymiyyah رحمهـــم الله, have been decisive and clear in regards to what to do about such a group of people,

"We say that any group who departs from any of the apparent indisputable laws of Islam that have been (handed down from generations to generations of Muslims without any interruption), then it is incumbent to fight against such a group according to the consensus of Muslim imaams (leaders of Islamic schools of law), even though they recite the two testimonies.

"So if they recite the shahadatain (two testimonies)[132] *but abstain from observing five daily prayers they must be fought against until they offer prayers…*

وقاتلوهم حتى لا تكو ن فتنة ويكو ن الدين كله لله

'And fight them until there is no more fitnah (shirk) and all of the religion is for Allah only'[133]

---

[132] The first testimony being, *'I bear witness that no one has the right to be worshipped but Allah'* and the second being '*I bear witness that Muhammad is the Messenger of Allah.'*

[133] Surat ul-Anfaal, ayah 39, Surat ul-Baqarah, ayah 193

"Thus in all such cases when religion is partly for Allah and partly for others, it is incumbent upon Muslims to fight until all religion is for Allah alone." [134]

Is it possible that the state of our rulers could be clearer than that put forward by the scholars of Islam, past or present?

[134] Majmu`a Fataawa, V. 4, Baab ulJihaad

EVIDENCES THAT IT IS MAJOR KUFR IN REGARD TO NOT RULING BY ALLAH'S I LAW

In this particular chapter, we do not want the reader to misunderstand what we mean when he or she reads the title. When we say that it is major kufr in regards to not ruling by the law of Allah I, we do not mean the ruler that does it occasionally due to some vice or some evil in which he was bribed. When we make such statements as the above title, we are making direct reference to the rulers who judge all the time by other than what Allah I sent down and then make laws to protect their judgements. To cite our first witness against this act perpetrated by these types of people, we quote the following, now infamous verse,

و من لم يحكم بما أنزل الله فأولئك هم الكافرون

"And whoever does not rule by what Allah sent down, then they are kaafirun (unbelievers)."[135]

Ibn `Abbas τ made a statement in regards to this verse, in which he says that the Kufr in this verse is **"kufr duna kufr (kufr less than kufr)."**[136]

But Ibn `Abbas τ makes another statement in regards to this same verse, in which he says, **"that kufr is enough kufr for him,"**[137] meaning, that this is the major kufr.

Ibn Mas`ud τ was asked by the people of `Iraq, "What is rashwa (taking bribes)?" He replied, "This is suht (unlawful earning)."

[135] Surat ul-Ma'ida, ayah 44

[136] See Tafsir Ibn Kathir under the tafsir of this ayah

[137] Please see Akhbaar ul-Qudaa', V. 1, p. 40-45

They said, "No, we meant in ruling." He then said, **"This is the very kufr."**[138]

Just by observing the verse and the tafsir based on the verse, we can see that it is major kufr just to **FAIL** to rule by what Allah I sent down, let alone legislating in His matter. It is sad today, however that some have invested in perversion in order to hide the stern order reported in this verse and reported by the two Sahaaba τ mentioned above. What has been deceitfully perpetrated is that Ibn `Abbas's τ statement of 'kufr duna kufr' was abused to protect the abusers and the perverters of the Shari`ah. However, those who sought to do this actually fell into a pit with regards to Usul ul-Fiqh. We narrate this disastrous mistake that they have committed below,

Shaikh Muhammad ibn Saalih al`Uthaimin made mention that,

"The statement of one sahaabi has no right to make specific a verse that Allah Y has made general." [139]

So according to the `ulama, it is a well known rule that the statement of one sahaabi does not make specific a general term in the Qur'an when Allah I has specifically made it general. Nor can any one sahaabi make a specific verse in the Qur'an general that Allah I himself has made specific unless there is ample evidence to prove such a ruling.

Even regime scholars today cannot deny this evidence. And here we have `Uthaimin quoting this evidence in his book of Usul ul-Fiqh.

---

[138] Please see Tafsir Ibn Kathir under the tafsir of this ayah
[139] al Usulu min `ilm il-Usul, pgs. 33-44

As we can see, all the narrations of Ibn Mas`ud τ and Ibn `Abbas τ are correct. So as people from Ahl us-Sunna Wal-Jama`ah, we do not hide them, as they can be explained by putting all of the evidence on this subject together for investigation.

It is also known by the statement of the `Ulama,' *"If there is not another saying from the Qur'an, then the saying of one sahaabi should be taken."*[140]

Ahl us-Sunnah wal-Jama`ah have a golden rule which states 'every verse in the Qur'an or Sunnah has the right to be implemented and worked with, even if they appear to be contradictory to individuals without knowledge.'

THE RELATIONSHIP BETWEEN NOT RULING BY THE SHARI`AH AND KUFR

In continuing on in our elaboration on the ayah mentioned in the last chapter, there is no greater way to express the relationship between kufr and not ruling by the Shari`ah than that ayah. In that noble statement, Allah I actually makes a datum between kufr and not ruling by His law. It remains as a standing challenge not just to the rulers who leave off the Shari`ah, but even for the common Muslims, who might take it upon themselves to delete one or some of the obligations of the Islamic heavenly system revealed by our Creator.

Imaam Abu Bakr al-Jassaas رحمه الله [141]said in explanation of the ayah under discussion,

[140] ibid.
[141] This imaam is most well known for his work Ahkaam ul-Qur'an and is a well renowned imaam among the people of knowledge.

"In this ayah, there is a sign that anybody who pushes back or leaves anything from the orders of Allah Y and that those who leave even little things from the orders of Allah or the orders of the Messenger ρ, he has left Islam; whether he left it or did not work for it from the point of view that he is suspicious about it or even if he left it because he doesn't want to accept it or has resentment. This is in accordance with what the sahaaba ψ have gone through in their opinion about the apostasy of those who stop paying the zakah. Not only did the sahaaba ψ conclude that these people were apostates for not paying zakah, but they also killed them and took their wives and children as slaves. This is because Allah Y ruled that those who do not follow the Messenger ρ in his rule and his hukm (judgement) they are not from the ahl ulIman (believers). [142]

It is important in this place to also expand on the fact that Allah I has made kufr and imaan clear. If a land is not ruled with laws from the light of imaan, then those laws from the darkness of kufr rule it. Shaikh Abu `Abdullah al-Maqsdisi al Hanbali [143] رحمه الله expounds on this point,

"Every daar (house, abode, nation) that has prevailing over it the laws of the Muslims, then it is Daar ul-Islam. [144] *And if an*

[142] Ahkaam ul Qur'an, volume 3, page 181

[143] This famous Hanbali scholar was a great man in his time and was known to always speak the truth. His statements regarding Daar alKufr and his rulings regarding those living under it remain a strong reminder to those of us living today. His pronouncements are such that if his book was translated, the entire Ummah would have a gold mine to inherit from.

[144] The term Daar ul-Islam is a Shari`ah term that makes reference to a land ruled over in whole by Islamic law, where the Muslims are prevailing with the Shari`ah and the Jews are paying the jizya. This jizya exempts the Jews from being fought and having their wealth cancelled, because the jizya is their recognition of the Islamic state and their admission of submission to it.

abode has prevailing over it the laws of kufr, then it is Daar ul-Kufr[145]*, and there are no other abodes mentioned other than these two abodes."*[146]

THE KUFR AND SHIRK OF RULING BY MAN-MADE LAW

WHAT THE SAHAABA ψ HAVE SAID ABOUT THIS ISSUE[147]

In the book Azhari ul-Qudaa,' it is narrated that Ibn `Abbas τ said regarding the issue of ruling by man-made law, [148]

Thus in a state like this, the Jews and Christians are regarded as Ahl udh-Dhimmi, those people under the protection of the Islamic state. The main point to understand here is that the complete dominance of Islamic law over the land is what makes that location Daar ul-Islam.

[145] Daar ulKufr however, is a place where the laws of Islam are not dominant over the land. In this context, it is lawful for the Muslim to wage war against such a nation and to fight it, in order to make it Daar ul-Islam.

[146] Al Aadab ush-Shar`iyya wal -Minah il-Mar`iyyah, V. 1, p. 192

[147] We start the first part of this chapter by quoting from the Sahaaba ψ. It might be a question in the mind of the reader why we quote the Sahaaba ψ first and then we quote the `Ulamaa'. The reason for this is that the Sahaaba ψ were the first `Ulamaa' of this Ummah. Everything that the scholars take and derive from the religion is from their example. Everything that they understand comes from their understanding. It might take the scholars of today three to four volumes in a book to write about loving and hating for Allah I, something that the Sahaaba ψ understood in one volume or less, because their understanding is comprehensive. All of the `Ulamaa' today, although we respect and revere them, are nothing but mere students and children in the sight of the Sahaaba ψ.

[148] The narrator is Muhammad ibn Khalaf ibn Hayyan τ, known as al-Waki`a (d. 306 AH/918 AD), the author of the work, Akhbaar ulQudaa'. Ibn Hajar al `Asqalaani رحمه الله said, *"He is trustworthy."* Al Khatib al-Baghdaadi رحمه الله

حدثنا عن حسن ابن أبي الربيع الجرجاني قال أخبرنا عبد الرزاق عن معمر عن ابن طاووس عن أبيه قال سئل ابن عباس عن قوله تعالى و من لم يحكم بما أنزل الله فأولئك هم
الكافرون قال **: كفى به كفره**

It is narrated from Hasan ibn Abi ar-Rabi`a al-Jurjaani τ*[149] *saying, "We heard it from `Abdur-Razzaaq τ[150] *from M`amar τ*[151] *from Ibn Tawus τ*[152] *from his father who said, 'Ibn `Abbas τ was asked regarding the statement of Allah,*

'Whoever does not rule by what Allah has sent down, then they are Kaafirun.'[153] *He (Ibn `Abbas τ) said, 'It is enough kufr.'"*[154] Sa`id ibn Jubair τ narrated that Ibn `Abbas τ said in a cynical manner of this ayah, *"You are the best people whenever what is sweet for you is in the Qur'an. And whatever is harsh, firm and sour for the people of the book* (the narrator says, 'As if he see's

---

[This Shaikh is also the author of at-Tariq Kitaab ush-Sharif ('The Way of the Honourable Book'), which gives number and recital differences with regard to the ayaat of the Qur'an] said, *"He is knowledgeable, trustworthy and has great knowledge of history and things related to people."* Al-Khatibi and Ibn Kathir have said of Waki`a, *"He is trustworthy."*

[149]His name is Ibn Yahya ibn Ja`j τ. He is also trustworthy and truthful. Abi Haatim τ said of him, he is trustworthy and he is one of my Shaikhs. Ibn Hibbaan τ mentioned him (Yahya) with the trustworthy people. Ibn Hajar رحمه الله also mentioned him among those who are trustworthy. The rest of the narration is absolutely trustworthy and of the highest quality.

[150] `Abdur-Razzaaq τ is a trustworthy imaam.

[151] All the scholars trust him.

[152] Both him and his father are trustworthy, and the father, Tawus, is a student of Ibn `Abbas τ.

[153]Surat ul-Ma'ida, ayah 44

[154]Akhbaar ul-Qudaa', V. 1 pages 40-45 by Imaam Waki`a

[155] that the three ayaat are for Muslims as well')".[156] It is also narrated that Ibn `Abbas τ said, *"You are the best people if whatever is sweet in the book is for you."* He then added, *'Who ever rejects (jaahidan) the rule of Allah, and then he is a kaafir.*

In addition to what Ibn `Abbas τ has said, another Sahaabi (companion of the Prophet ρ) by the name of `Abdullah Ibn Mas`ud τ[157] has also mentioned in regards to this ayah, when he was asked by some people what was reshwa (a bribe). He replied, *"It is suht (ill-gotten wealth)."* They then said, *"No, we mean in judgement and ruling."* He said,

ذاك الكفر

[155] There is no doubt that this is the correct conclusion as it is one of the basics of Usul ul-fiqh (Islamic jurisprudence) that whatever is general in the revelation, cannot be eliminated for the reason that it was revealed. Al `Allamah ash-Shaatibi رحمه الله said in his four volume work, Al-Mawaffiqaat and in his other book, al`Itisaam, his famous statement that is agreed upon by all the fuqaha'a (Islamic jurists), **العام لا يقصر على سبب بـه** "The general can not be eliminated for the reason of its revelation (asbaab un-Nuzul)." This rule has been practiced since day of the revelation of the ayaat ulAhkaam (the verses of judgement) in the time of the Messenger ρ. All the ayaat of judgement have been revealed because of certain incidents that happened to one or two Sahaaba ψ, or a man or his wife, but still every Muslim must comply with its' rule until our time, except deviants, who will say, ***"It was not revealed because of me."*** Never did the Messenger ρ say, ***"This judgement is for this man and his wife or for this person only."*** These are the comments that needed elaboration in this place.

[156] ibid, v. 1, page 41

[157] `Abdullah ibn Mas`ud τ is the same Sahaabi who was quoted as saying with happiness, *"There is not one single ayah from the Qur'an that was revealed, except that I knew its reason for revelation (narrated by Bukhaari)."* Before Ibn `Abbas τ came of age, he was the most prominent Sahaabi in the realm of Qur'anic sciences and continued to be a force to be reckoned with in the way of knowledge of revelation.

"This is the very kufr."[158]

In addition to all of this data, we should think deeply about the ijmaa` (consensus) of the Sahaaba τ quoted below with regard to ruling,

The famous Sahaabi, Jaabir Ibn `Abdullah τ, said,

أمرنا رسول الله ρ أن نضرب بهذا (وأشار إلى السيف) من خرج عن هذا (وأشار إلى المصحف)

"The Messenger of Allah ρ ordered us to hit with this (and he pointed to his sword) whoever goes out of that (and he pointed to the Qur'an).[159] [160]*"*

That means exactly what Ahl us-Sunna walJama`ah have said in regards to those ruling by other than what Allah sent down, changing the Shari`ah or legislating something. This is major kufr (kufr al-Akbar). If they fail to apply it in ***SOME*** instances, that could be taken as a kufr of a lesser kufr (kufr al Asghar). Another way we would say this is that it is a minor kufr.

This is because the way of Ahl us-Sunna walJama`ah is to use all the verses available before delivering a judgement, while the bid`ii people only use the verses that suit them and judge without understanding. **Supporting this fact, no one will ever find a statement from Ibn `Abbas or anybody with regard to legislation (tashrii`) saying it is 'a shirk of a lesser shirk'**, as Allah Y said in the Qur'an,

---

[158] See Tafsir Ibn Kathir Surah Al-Ma'ida 44. Also Akhbaar ul-Qudaa' vol. 1 pages 40-45.

[159] Also Imaam Ibn Taymiyyah narrated the same hadith in his Majmu`a Fataawa, Volume 35

[160] Musnad of Ahmad ibn Hanbal

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

***"Or do they have partners for them legislating a religion that Allah did not give permission for at all. Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment."*[161]**

حدثنا إبراهيم بن الحكم بن ظهير عن أبيه عن السدي قال: قال ابن عباس من جار في الحكم و هو يعلم و من حكم بغير علمه و من اخذ الرشوة في الحكم فهو من الكافرون

It is related from Ibrahim ibn al-Hakam ibn Zahir τ from his father from As-Suddai τ who said, "Ibn `Abbas said, *'Whoever was tyrannical in judgement and he knows it, judged without knowledge or took bribery in judgement, then he is from the kuffar.'"*[162]

Although this statement seems very harsh, we must look at it very closely. In reference to these crimes mentioned above, this hadith shows us that it can either a **major** or a **minor** kufr. Depending on the **frequency** of the judgement, we can then determine the **degree** of kufr, minor of major. Depending on the type of tyranny, we then come to what should be the correct judgement. If the tyranny touches on the rights of **mankind,** like in the time when the great tyranny of al-Hajjaj ibn Yusuf ath-Thaqafi took place, then this is a major sin, but not enough to cast someone out of the fold of Islam. Thus it is *minor* kufr; however, the moment the tyranny touches the right of **Allah I,** for example legislation, then it is without doubt *major* kufr and must be resisted until it ceases or the person is removed from

161 Surat ush-Shura, ayah 21
162 Akhbaar ul-Qudaa', p. 41

their post. In regards to judging with or without knowledge by other than the law of Allah I all the time, it falls under the same rules and conditions.

The issue of bribery we will now be addressed,

حديث ابن مسعود أخرجه البيهقي بلفظ سألت عبد الله بن مسعود عن السحت فقال الرشا و سألته عن الجور فالحكم فقال ذلك الكفر

In a hadith taken from Baihaqi رحمه الله, `Abdullah ibn Mas`ud τ was asked regarding as-Suht (ill gotten wealth from unlawful earning), and he replied, *"It is rashwa (bribery)."* He was then asked about tyranny in judgement, to which he replied, *"That is the very kufr."*[163]

أخرجه أيضاً عن مسروق سئل عبد الله عن السحت فقال هي الرشا فقال فالحكم قال عبد الله ذاك الكفر و تلا هذه الآية و من لم يحكم بما أنزل الله فأولئك هم الكافرون: و أخرجه أيضاً بلفظ سألت ابن مسعود عن السحت أ هو الرشوة في الحكم قال لا و من لم يحكم بما أنزل الله فأولئك هم الكافرون و الظالمون والفاسقون و لكن السحت أن يستعينك رجل على مظلمة فيهدى لك فتقبله فذلك السحت

It is taken moreover from Masruq τ that he asked Ibn Mas`ud τ regarding as-Suht, to which he said, *"It is rashwa (bribery)."* He (Masruq) inquired, *"And in judgement?"* `Abdullah ibn Mas`ud τ answered, *"That is the very kufr."* Then he recited Surat ul-Ma'ida, ayah 44.

Ibn Mas`ud τ was asked at another time, regarding suht and whether there was rashwa (bribery) in judgement. Ibn Mas`ud τ replied, *"No, Whoever does not judge by what Allah sent down, then they are kaafirun, whoever does not judge by what Allah sent down, then they are zaalimun (oppressors), whoever does*

[163] Akhbaar ul-Qudaa, V. 1, page51 in the footnote

not judge by what Allah sent down, then they are faasiqun (rebellious sinners)."[164]

We would also like to mention that in the work, ***al-Kabir*** by Imaam at-Tabaraani رحمه الله, that rashwa (bribery), when it comes to judgement is again referred to as kufr and suht among men. Ibn Mas`ud τ and Masruq τ have already interpreted suht as going in onto the ruler for intercession. And they said, *"If he took rashwa for judgements, it is **kufr**."* `Ali ibn Abi Taalib τ[165] and Zaid ibn Thaabit τ[166] agreed as well. Thus the ruling that rashwa in judgement is kufr is well known and agreed upon by the Sahaaba ψ without doubt.[167] [168]

---

[164] Ibid., V. 1, pages 52-53

[165] `Ali ibn Abi Taalib τ is the one whom Prophet ρ said of him, ***"`Ali is the best person to know about judgement,"*** Akhbaar ul-Qudaa', V. 1, pgs. 41-53 Since this issue was a matter of judgement, it was only right that a Qaadi (judge) should pronounce a verdict on this, and that is just what `Ali τ did.

[166] Zaid ibn Thaabit's τ judgement in this matter carries great weight as well. Not only was this man one of the collectors of the Qur'an who used to write the revelation in the time of the Prophet ρ, but he was said by the Prophet ρ to be one of the best to learn fiqh from. He is also one of the four people that the Prophet ρ asked the Sahaaba ψ to learn the Qur'an from, be it recital or its judgements. The other three were, Ibn Mas`ud, Ubai ibn K`ab and Mu`adh ibn Jabal ψ.

[167] We would like to let it be known that every sinning judge taking a bribe is not a kaafir, but if he rules by other than the Shari`ah in a constitution which does not have its law from the Shari`ah, then he most certainly is a kaafir. Also, taking a bribe in altering the legislation of Allah I is major kufr, but taking a bribe to alter judgements of Allah I in certain instances could be either a major or a minor kufr, depending upon the circumstances and the case. The main objective, though, is to show how weighty the words of the Sahaaba ψ in these matters are. The scholars and the Muslims in this time are taking this understanding very easy, until it becomes the case that we don't know where the Shari`ah of the rulers ends and where the Shari`ah of Allah I begins.

[168] Ibid., V. 1, p. 52

WHAT THE ANCIENT SCHOLARS HAVE SAID ABOUT IT

Imaam Muhammad ibn Idris ash-Shaafi`ii [169] رحمه الله made the following analysis,

"Whoever endorses his own saying without reference to the Qur'an and Sunna, he will be a sinner. He will be a wrongdoer and wrong, even though he matches the Qur'an sometimes, because when he matches it he did not intend for that." [170]

THIS IS A GOLDEN RULE OF IMAAM SHAAFI`II, BUT HE DID NOT MAKE THIS RULE FOR THOSE WHO LEGISLATE OTHER THAN THE ISLAMIC SHARI`AH. IN HIS TIME, MUSLIM LANDS WERE CLEAR FROM THIS FILTH. HE MADE THIS RULE WITH REGARD TO SCHOLARS MAKING IJTIHAAD.

Imaam ash-Shaafi`ii رحمه الله has also related,

---

[169] 150-204 AH. This honourable personality was best known for his work al Umm. Born in Egypt in the district of Gaza, he came from a poor family, and lost his father at an early age. His mother's love for him didn't cease though, as she wanted the best for her son. She took him to Makkah for his and her hajj, and brought him to Madinah to learn Islam, where he would meet the great Imaam Maalik رحمه الله. He rose to fame in the area of hadith and application of the rules of Ahl us-Sunna walJama`ah. His top student was none other than Ahmad ibn Hanbal رحمه الله, who later went on to be a great imaam. Imaam ash-Shaafi`ii رحمه الله was also known through his book ar-Risaala. He travelled quite a bit through the Muslims world, to areas such as Baghdaad, Kufa, Makkah, Madinah and other places. He died and was buried in Egypt.

[170] Ar-Risaala, Subject No. 178.

"Muslims unanimously agree upon that whoever knows for certain a Sunna or a statement from the Messenger of Allah ρ, he should never leave it to anyone else's opinion. Nobody should make a statement where the Sunna of the Messenger of Allah ρ is already established."[171]

Al `Allamah Ibn Kathir رحمه الله narrated regarding the verse,

و إن أطعتموهم إنكم لمشركون

"And if you obey them, you are mushrikun (pagans)."[172]

"It means whenever you left from the order of Allah I given to you and His Revealed Law to the statements of other than Him and you prefer them to Him, this is the shirk (major shirk), as Allah I said,

اتخذوا أحبارهم و رهبانهم أرباباً من دون الله

"They took their priests and rabbis as lords besides Allah."[173]

Imaam at-Tirmidhi رحمه الله narrated in tafsir of this ayah that Adi ibn Haatim at-Ta'ii τ said, 'O Messenger of Allah, they did not worship them.'

Then the Messenger said, 'Indeed they did. They made haraam halaal for them and halaal haraam for them and they obeyed them[174] *in that. That is how they worshipped them.'*[175]

---

[171] `I'laam al-Muwaqqain, V. 2, p. 283
[172] Surat ul-An`aam, ayah 121
[173] Surat ul-Ma'ida, ayah 31
[174] You can see why the Messenger ρ called them Mushrikun in the ayah, it was the obedience to them. And in the hadith it was the following of them. And that shows that those who say that there is no shirk or kufr by action,

The great Maaliki scholar and the great Qaadi, `Iyaad ibn Musa ibn `Iyaad ibn `Amru al-Yahsabi al Andalusia [176] رحمه الله commented on this statement,

"For someone to say that La ilaha illallah it is a sign that he has responded to imaan, it is only accepted alone from the people who used to be Mushrikun (pagans) before. But those who are already saying La ilaha illallah, it is not enough for them to be protected (i.e. blood and wealth) by saying La ilaha illallah and doing other kinds of kufr." [177]

Al `Allamah, al-Faqih, al-Mufassir Sufyaan ath-Thawri az-Zaidi [178] رحمه الله, the great second generation scholar, said about Ma'ida, ayaat 44, 45, 47,

---

they are the bid`ii ones, as it is mentioned clearly in the Qur'an and the Sunna, in this ayah and many others. This is to prove that some kufr al`Amali (kufr of acts) could easily take one out of the religion, for example following what contradicts the decisive ayaat of the Qur'an and the clear statements of the Sunna.

[175] Tafsir Ibn Kathir, V. 2

[176] This is a famous Maaliki scholar of origin from Morocco but based in al Andalus, known for his works such as ash-Shifa' and many other books to his credit.

[177] Ash-Shifaa', V. 2, pgs. 230-250

[178] D. 161 AH/777 AD. This great scholar met many Sahaaba τ and was known for his cautious manners and his refusal to go to the doors of the rulers. He is also a strong adherent of the Zaidiyyah sect, today found mostly in Yemen. His main mission was to codify the teachings of Zaid ibn `Ali in Kufa, `Iraq. He is quoted by the Zaidiyyah, and even their methods of tafsir are based on his analytical style and characteristic wit. His conduct regarding manners with even just Muslim rulers is that he would still not attend to them. Now what of today when are rulers have gone out from the Shari`ah and apostated ?

"The first one is for this nation (the Muslims who are not ruling by the Shari`ah), the second is for the Jews (not ruling by the Shari`ah) and the third is for the Christians (not ruling by the Shari`ah)."[179]

The great scholar of India, al `Allamah Abu Tayyib Muhammad Aabaadi [180] رحمه الله made the following conclusion in regards to the same verses mentioned by ath-Thawri رحمه الله,

"And the truthfulness of the statement that whoever does not judge by what Allah sent down is a kaafir is the hadith of al-Baraa' in which he said that the verses (those being Surat ul-Ma'ida ayaat 44-47) were sent regarding all kuffar. And whoever claims that a legislation from the legislations from Allah which the prophets came with is false, then he is a KAAFIR."[181]

Shaikh Abul Faraj Jamaal ud-Din `Abdur-Rahmaan ibn al-Jawzi al-Baghdaadi al-Hanbali [182] رحمه الله gives stern warning to those who should play with the Shari`ah, or even fail to rule by it,

---

[179] Tafsir Sufyaan ath-Thawri and Akhbaar ul-Qudaa', V. 1, beginning at page 40.

[180] This is a famous scholar of India and is most well known for his work on the book `Aun al-Ma`bud, in which he collated and put together most of the chapters with his commentary. It is sad that today the birthplace of such a scholar (India) now rests in the hands of people who glorify the cow and kill Muslims in mass.

[181] `Aun alMa`bud, V. 9, pgs. 355-356

[182] 510-597 AH/1116-1201 AD. A great Hanbali scholar. He is best recognised in many circles by his book, ***Talbis Iblis (the Devil's Deception)*** in which he catalogued all of the deviant groups of his time, exposing their faults and offering workable solutions to the bid`ah that each group was engaged in. He has has the work, ***at-Tabsira*** to his credit.

"Whoever does not judge by what Allah sent down, doing juhud (denial) to it, and he knows that Allah sent it down, just as the Jews did, then he is a kaafir. And it is related from Talha that Ibn `Abbas said, 'Whoever did juhud (denial) to what Allah sent down, then he has become kaafir, but if he admits to it, then he is an oppressor, a rebellious sinner.'"[183]

Al `Allamah Ibn Kathir رحمه الله says in tafsir of the ayah,

فإن تنازعتم في شيء فردوه إلى الله و الرسول إن كنتم تؤمنون با لله واليوم الآخر ذلك خير و أحسن تأويلا

"Then if you dispute in something, take it back and return it to Allah and His Messenger, if you believe in Allah and the Hereafter. That is good and the best interpretation."[184]

"And this is an order from Allah I that everything we quarrel about, we should send it back to find the original and this is from the root or the branches of the religion. It must be sent back to Allah Y and His Book and the Sunna. As Allah said in the other ayah, "Then if you dispute in something, take it back and refer it to Allah and His Messenger."

"Whatever the Qur'an and Sunna have made a rule about it and witness that, this matter is the truth (haqq). What then is after the truth except misguidance? Then the ayah continues, ***'If you believe in Allah and the hereafter.'***

"Send back all this ignorance and quarrelling to the Qur'an and Sunna if you believe in Allah. This is a proof that those who do

183 Zaad ul-Masir fi `ilm it-Tafsir, V. 2, p.366-367

184 Surat un-Nisaa', ayah 59

not rule in their quarrel by the Qur'an and Sunna, they are not believers in Him and the Hereafter." [185]

Al `Allamah Imaam Abu `Abdullah Muhammad al-Qurtubi رحمه الله guides us in regards to this issue,

" 'And whoever does not judge by what Allah sent down, doing juhud (denial) to the Qur'an and doing radd (rejection) to the Sunna of the Messenger ρ, then he is a kaafir.' This is the statement of Ibn `Abbas and Mujaahid that the ayah is general on this issue. Ibn Mas`ud and al-Hasan also said, 'It is general in all who do not judge by what Allah sent down, be they Muslims, Jews or the other kuffar.' " [186]

Al `Allamah Ibn Qayyim al-Jawziyyah رحمه الله made these remarks,

"And it is true that the judge by other than what Allah sent down falls into the two categories of major or minor kufr, depending upon the condition of the judge. Thus if he has firm conviction of the necessity of the judgement by what Allah sent down in this affair and he transgressed it in disobedience, knowing full well that he is deserving of punishment, then it is a minor kufr.

"And if he had firm conviction that it is not compulsory, then truly this is major kufr. And if he was ignorant or he sinned, then he falls under the category of those who sin." [187]

Shaikh Ibn Qayyim al-Jawziyyah رحمه الله puts emphasis on being happy with the Messenger ρ and accepting the rules of Allah I,

---

[185] Tafsir ul-Qur'an al`Azim vol 1, page 518

[186] Jaami` ul-Ahkaam fil-Qur'an, V. 5, p. 190

[187] Madaarij as-Saalikin, V. 1, p. 337

"To be happy about the Messenger of Allah ρ as a prophet is that you have to follow him all the way. You have to surrender everything to him ρ so that he becomes to you more important than yourself and your law. And you should not take any guidance except from the sayings of the Prophet ρ. And he (the individual) shall not rule by anybody other than the Messenger ρ.

"And he should not be happy except with his ρ rule,

فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم

'No, by your Lord (Muhammad ρ), they will not believe, until they make you the judge in what they differed about.'[188 189]

In another place, Shaikh Ibn Qayyim رحمه الله, making mention of the same verse, sheds more light on this affair,

"To be happy about the ruling of Allah's Y law is a must. This is the foundation of imaan and Islam. It is a must for a servant of Allah Y to be happy without any resentment or pushing.

"Allah has sworn that they will never believe unless there is no resentment in there heart. Allah Y divided them into three:

1. To make you (Muhammad ρ) the judge amongst them is Islam, thus they are Muslims.
2. For them to have no resentment, which is imaan and makes them Mu'minun (sincere believers).

[188] Madaarij-us-Saalikin volume 2, page 118
[189] Surat un-Nisaa', ayah 65

3. Total submission to the law of Allah Y, even if it were against them. This is ihsaan and it makes them Muhsinun (pious ones).",[190]

Al-Haafiz Ibn Kathir رحمه الله, commented on the same verse mentioned by Ibn Qayyim رحمه الله by saying,

"Allah Y is swearing by His mighty self. Nobody believes unless he makes the Messenger of Allah ρ the ruler in all matters. And whatever he ruled by it is the truth, which should be followed clearly. This is why Allah Y said they should not find any resentment in their hearts from whatever you ruled (Muhammad ρ) and they surrender in total so that if they make you the ruler/judge amongst them, they should not find any resentment from whatever you quoted for them. They should also follow it, totally surrendering, without any opposition to the law or challenging the order.

"The Prophet ρ said,

و الذي نفسي بيده لا يؤمن أحدكم حتى يكون هواه تبعاً لما جئت به

'I swear by him whom my soul is in his hand that none you will be a believer unless his whims/thoughts/insights is in accordance to what I have delivered.' ",[191]

Al `Allamah Shaikh ul-Islam Ibn Taymiyyah al-Hanbali رحمه الله also makes the link between the Shari`ah and Islam,

"Islam means to surrender to Allah alone. So whoever surrenders to Allah and to other than Allah he is a mushrik

[190] Madaarij us-Saalikin volume 1 page 209
[191] Ibn Kathir Tafsir Qur'an Al-Azim volume 1, page 520

(pagan). And whoever does not surrender to Allah he is arrogant to worship Allah. The Mushrik (pagan) and the arrogant are both kuffar (unbelievers). To surrender to Allah I alone includes inside it that you have to obey Him alone. This is the Religion of Islam and Allah does not accept any other than it. This can be done when Allah is obeyed at anytime with whatever He ordered you do at that time." [192]

The Imaam of Ahl us-Sunna wal-Jama`ah, Shaikh Ahmad Ibn Hanbal رحمه الله proved this point when giving his tafsir of ayah 31 in Surat ut-Tawbah,

" 'They took their rabbis and priests as lords besides Allah' [193] *is trying to prove to obey other than Allah is Shirk."*

قال قلت إنهم لم يعبدوهم فقال بلى إنهم حرموا عليهم الحلال و حللو لهم الحرام فاتبعهم فذلك عبادتهم إياهم

"`Adi Ibn Haatim τ said in regards to the verse, 'Truly, they did not worship them.' The Prophet ρ said,

'They most certainly did. They made the haraam for them the halaal and they made halaal for them the haraam, then they obeyed them. That is how they worshipped them.' " [194]

Ibn Qayyim al-Jawziyyah رحمه الله explains the Imaam's words further,

"The hadith says that if they obeyed them, it is shirk. There is no mention that they 'said' that they were lords besides Allah.

---

[192] Majmu`a Fataawa vol. 3, Page 91
[193] Surat ut-Tawbah, ayah 31
[194] This hadith is hasan (good) and is narrated by at-Tirmidhi, hadith 3095 in Kitaab ut-Tafsir and by alBaihaqi in his Sunan, V. 10, hadith 117

"A sign for a Muslim that he is a real Muslim and happy about his Islam is that if Allah ruled or ordered or forbids, he must be happy. There is no resentment in his heart and he surrenders and submits in full, even though it is against his whims and interests or it is against the saying of his shaikh or his group." [195]

Shaikh ul-Islam Ibn Taymiyyah رحمه الله gave strong words in his fataawa,

"Whenever the `aalim follows the hukm (legislation) of the ruler, and leaves off his knowledge, in contradiction to the Book of Allah and the Sunna of His Messenger, he is a kaafir (an unbeliever) and a murtadd (an apostate), who deserves to be punished in this life and the Hereafter. This rule can also be applied with regard to the group of scholars who jumped and joined the Mongols ***due to fear*** *of them and that they wanted* ***to take benefit*** *from them. These scholars made the excuse that some of the Mongols were* ***speaking the Shahaada (bearing witness that Allah I was one and that Muhammad ρ was His Messenger)*** *and that they were Muslims."* [196] [197]

Al-Muhaddith, al-Faqih, **Shaikh ul-Islam** in his time, Shaikh Ibn Hajar al`Asqalaani [198] رحمه الله had this to say,

"It is not permissible to believe that the scholars are better from Madinah (rather) than other places, except in the time of the

[195] Madaarij us-Saalikin vol.2, p. 118

[196] It is as if he is describing our present situation today to the letter.

[197] Majmu`a Fataawa, V. 35, page 373

[198] 773-852 AH/1372-1448 AD. This great scholar originally hailed from southern Egypt and was a graduate of al-Azhar. Known to many as the Leader of the Believers in hadith, this man exemplified great scholarship and was one of the great Shaafi`ii Imaams.

Messenger ρ and those who came after them before the Sahaaba dispersed and went to different cities. This is because after the time of the Mujtahidin Imaams it was not narrated that one `aalim from Madinah was better than any other `aalim from the other countries.
Instead, those who have inhabited it (Madinah) are from ***the most*** *bid`ii way."*[199]

Let us gain from the words of the great Spanish Maaliki Imaam of years ago, al `Allamah, al-Muhaddith, al-Faqih, Shaikh Abu `Abdullah Muhammad ibn Ahmad al-Qurtubi [200] رحمه الله,

"The `Ulama have said, 'One who is an imaam for an oppressive ruler, prayer is not to be made behind him unless he reveals his excuse or reason why (he is an imaam for the oppressive ruler) or he repents from it (being an imaam for an oppressive ruler).'"[201]

This is just speaking about the oppressive ruler. What about the one that replaces the Shari`ah?

And what did **Shaikh ul-Islam**, Ibn Taymiyyah رحمه الله, say of these scholars that are supporting those who replace the Shari`ah?

"We say any group who departs from the apparent indisputable laws of Islam that have been (handed down from generations to generations of Muslims without any interruption), then it is

[199] Fath ul-Bari, Bab Itesam us Sunnah vol 13, page312
[200] D. 671 AH/1273 AD. Originally from the city of Cordoba in modern day Spain, Qurtubi came to exemplify the ultimate in Spanish scholarship. His tafsir and the book of fiqh that he left behind remain permanent reminders to the greatness that the Ummah lost when we lost Spain.

[201] Jaami` ul-Ahkaam ul-Fiqhiyyah, V. 2, page 227

incumbent to fight against such a group according to the consensus of Muslim imaams (leaders of Islamic schools of law), even though they recite the two testimonies.

"So if they recite the shahadatain (two testimonies)[202] *but abstain from observing five daily prayers they must be fought against until they offer prayers. And if they abstain from paying zakah, it is incumbent upon Muslims to fight them until they start paying zakah. Similarly, if they abstain from the fasting of Ramadaan or pilgrimage to the ancient House of Allah or refuse to prohibit the abominations, adultery, gambling, drinking and other things forbidden by the Islamic Shari`ah. Or if they refuse to enforce the laws of the Qur'an and Sunna pertaining to life, property, honour, management of affairs and other such things; or if they refrain from enjoining good, forbidding evil, and fighting the unbelievers until they embrace Islam or pay jizyah (poll tax) in submission.*

"Likewise, if they introduce innovations in religion contrary to the teachings of the Qur'an and Sunna, and the practice of the righteous ancestors and imaams of the community by, for instance, blaspheming the names, signs, or attributes of Allah, or rejecting divine preordainment or decree, or rejecting the manner in which the Muslim community behaved in the days of the rightly guided Khulafa'a, or slandering the foremost from among the emigrants (al-Muhaajirun) and the helpers (al-Ansaar) and those who followed in their footsteps faithfully. Or if they fight the Muslims in order to force them to submit to them, abandoning the Islamic Shari`ah, and all other similar cases, concerning which Allah says,

وقاتلوهم حتى لا تكو ن فتنة ويكو ن الدين كله لله

[202] The first testimony being, 'I bear witness that no one has the right to be worshipped but Allah' and the second being 'I bear witness that Muhammad is the Messenger of Allah.'

'And fight them until there is no more fitnah (shirk) and all of the religion is for Allah only'[203]

"Thus in all such cases when religion is partly for Allah and partly for others, it is incumbent upon Muslims to fight until all religion is for Allah alone. Allah says,

يا أيها الذين أمنوا اتقوا الله و ذروا ما بقي من الربا إن كنتم مؤمنين
فإن لم تفعلوا فأذنوا بحرب من الله ورسوله

'O you who believe, fear Allah and leave the remainder of the usury if you are truly believers. But if you do not, then take notice of war from Allah and His Messenger'[204]

"This verse was revealed about the people of Ta'if, who had embraced Islam, observed the obligatory prayers and fasted, but they dealt in usury. The verse commanded the believers to leave the rest of the usury amount owing to them, and was told that if they failed to do so, then they would be enemies of Allah and His Messenger. [205]

"Usury was the last sin to be prohibited in the Qur'an, even though the money involved is obtained through mutual consent of the parties concerned. If a person refusing to desist from it is deemed to be at war with Allah and His Messenger, what about those who leave a lot of the laws of Islam or most of it, like the Tatars?"[206]

---

[203] Surat ul-Anfaal, ayah 39, Surat ul-Baqarah, ayah 193
[204] Surat ul-Baqara, ayah 278-279
[205] This is what is happening in all of the Muslim countries today. People have no right to blame the Mujaahidin for their effort to rid these areas of the evil of usury and paganism.

[206] Majmu`a Fataawa, V. 28, pgs. 510-512

Shaikh ul-Islam رحمه الله said in another place,

Thus in all such cases when religion is partly for Allah and partly for others it is incumbent upon the Muslims to fight until all the deen (religion) is for Allah,

يا ايها الذين امنوا اتقوا الله و ذروا ما بقى من الربوا إن كنتم مؤمنون. فإن لم تفعلوا فاذنوا بحرب من الله و رسوله

'O you who believe! Fear Allah and leave the remainder of the usury if you are truly believers. If you do not, then take notice of war from Allah and His Messenger!'[207]

"This verse was revealed about the people of Ta'if who embraced Islam and observed obligatory prayers and fasted but dealt with usury. This verse commanded the believers to leave the rest of the amounts owing to them. And they were told that if they failed to do so they would be the enemies of Allah and His Messenger ρ.

"Usury was the last thing to become haraam in Islam according to the Shari`ah. If a person refuses to desist from it, it is considered to be a declaration of war with Allah. What about him who refuses to desist from other illicit things which are more serious than riba?"[208]

Shaikh ul-Islam Ibn Taymiyyah رحمه الله roars from the pages of his fataawa yet again,

"Whenever the `aalim follows the hukm (judgement) of the ruler, and leaves off his knowledge, in contradiction to the book of Allah and the Sunna of His Messenger, he is a kaafir (an

[207] Surat ul-Baqarah, ayah 278-279

[208] Majmu`a Fataawa, Vol. 4 Baab ul-Jihaad, Fataawa Misriyyah

unbeliever) and a murtadd (an apostate), who deserves to be punished in this life and the hereafter. This rule can also be applied with regard to the group of scholars who jumped and joined the Mongols ***due to fear*** *of them and that they wanted* ***to take benefit*** *from them. These scholars made the excuse that some of the Mongols* ***were speaking the Shahaada*** *and that they were Muslims. Allah I has said,* [209] [210]

ألمص كتاب أنزل إليك فلا يكن في صدرك حرج منه لتنذر به و ذكرى للمؤمنين . اتبعوا ما أنزل إليكم من ربكم و لا تتبعوا من دونه أولياء قليلاً ما تذكرون

'Alif Laam Mim Saad. A Book sent down to you, so do not have any worry in your breast from it, so that you may warn and be a reminder to the believers. Follow what has been sent down to you from your Lord and do not follow protectors and helpers besides Him. Little is it that you remember!' [211]

"And even if this `aalim is captured, put behind bars and tortured to leave what Allah I has taught him from His Book, he should be patient with that. If he leaves all that and follows the ruler, then he is one of the people that are supposed to be doomed by Allah Y. He should be patient even if he is harmed in the cause of Allah Y. This is the Sunna that Allah I has wanted and accepted from the Prophets and from the people who follow the Prophets. Allah says

ألم أحسب الناس أن يتركوا أن يقولوا آمنا و هم لا يفتنون و لقد فتنا الذين من قبلهم فليعلمن الله الذين صدقوا و ليعلمن الكاذبين

'Alif Laam Mim. Do people think that they will be left alone because they say, 'We believe,' and will not be tested? And We

[209] It is as if he is describing our situation to the letter.
[210] Majmu`a Fataawa, V. 35, page 373
[211] Surat ul-A`araaf, ayaat 1-3

indeed tested those who were before them. Allah will certainly make it known those who are truthful and will certainly make it known those who are liars. And He (Allah I) will make it known who the liars are.' [212] [213]

The great Al `Allamah, **Shaikh ul-Islam of his time,** the Shaikh of the Qur'an memorisers in his time, the faqih, the head over all the judges in the Shari`ah courts of Egypt, Imaam Badr ud-Din al`Ayni رحمه الله [214] clarified the issue for all those to read and learn from,

"Whoever changed the Shari`ah of the Prophets and made his own Shari`ah, his Shari`ah is baatil. It is Haraam to follow these people,

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

'Or do they have partners for them legislating a religion that Allah did not give permission for at all? Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment.' [215]

"Due to this, the Jews and Christians became kuffar. They hold tight to their changed Shari`ah and Allah made it obligatory on humankind to follow the Shari`ah of Muhammad ρ." [216]

---

[212] Surat ul`Ankabut, ayaat 1-3

[213] Majmu`a Fataawa vol 35. Page 373

[214] D. 855 AH/1451 AD. Perhaps one of the greatest Hanafi scholars to ever live, this scholar , his credentials and life story are mentioned in his work, `Umdat ulQaari, V. 1, p. 1.

[215] Surat ush-Shura, ayah 21

[216] `Umdat ul-Qaari, V. 24, p. 81

The great Spanish scholar, Imaam al `Allamah Abu Muhammad `Ali ibn Ahmad ibn Sa`id ibn Hazm az-Zaahiri رحمه الله [217] narrated with great care on those leaving the judgement of Allah and the enormity of such an act,

"Allah I has said,

اليوم أكملت لكم دينكم و أتممت عليكم نعمتي و رضيت لكم الإسلام ديناً

'Today I have perfected your religion for you and completed on you My favour and I am pleased with Islam as your religion.'[218]

"And Allah I has also said,

و من يبتغ غير الإسلام ديناً فلن يقبل منه و هو في الآخرة من الخاسرين

'And whoever chooses other than Islam as a religion, it will never be accepted from him and he will be from among the losers in the Hereafter.'[219]

"So whoever claims that something from what was in the time of the Messenger ρ is no longer judgement, and it changed after his death, then already he has chosen other than Islam as a religion. This is due to the fact that those acts of worship, judgements, things legislated as haraam, things legislated as

---

[217] 384-486 AH/994-1093 AD. One of the great Imaams of Spain, well known for the work above, in addition to his ***al-Muhalla.*** Even though he did make some mistakes in his tafsir and his rulings due to his adherence to the Zaahiri madhhab (those who read the texts of the Qur'an and the hadith literally), he was still a great scholar. He was one of the few who was standing up and alerting the Ummah to the fitna that was destroying Andalus (Spain) in his time. He was not under the chair of any ruler and his fataawa reflect that.

[218] Surat al-Ma'ida, ayah 3

[219] Surah Aali `Imraan, ayah 85

halaal and incumbencies of the religion which were in his ρ time, are the Islam which Allah is pleased with for us. And Islam is nothing other than that.

"So whoever leaves anything from it (Islam), then he has already left Islam. And whoever speaks something other than that, then he has already spoken something other than Islam, no doubt about it at all that Allah has informed us that He (Allah I) has already perfected it (Islam).

"And whoever claims that something from the Qur'an or the trustworthy hadith is abrogated and he doesn't present an evidence or come with a text which he claims abrogated the other, then he is a liar on Allah and calling to abandonment of the Shari`ah, so already he is a caller to the da`awa of Iblis and hindering the path of Allah, we seek refuge in Allah from that. Allah I has said,

إنا نحن نزلنا الذكر و إنا له الحافظين

***'Truly we have sent down the remembrance, and we are preserving and protecting it.'*[220]**

"So whoever claims that it has been abrogated, then he has already told a lie on his Lord and has actually claimed that Allah did not preserve the remembrance after when it was sent down by Him."[221]

Al `Allamah Shihaab ud-Din al Alusi رحمه الله [222] had the following to say,

[220] Surat ul-Hijr, ayah 9
[221] alIhkaam fi usul il-Ahkaam, V. 1, p. 270-271
[222] This man was the Mufti of Baghdaad and a major Hanafi scholar, in addition to being the head over many of the other Shari`ah courts. His words

"There is no dispute in the kufr of anyone who doesn't have the certainty to judge by what Allah sent down, and moreover the general design for the denial of faith for anyone not judging by what Allah sent down is of one class. Thus there is no doubt or suspicion that the one who doesn't judge in one matter or thing by what Allah sent down, then he is not one of certainty in the revelation and there is no dispute in his kufr." [223] [224]

Al `Allamah, the Shaikh of the scholars of tafsir, Abu Ja`far Muhammad ibn Jarir at-Tabari رحمه الله,[225] made these glowing comments,

"And whoever conceals the judgement of Allah which he sent in His book and He made it the legislation between His slaves, then he hid it and judged by other than it, he has the likeness of the judgement of the Jews in the case of the committers of adultery....and their hiding of the verse stoning...and Allah has already equalised between all of them in the judgement on them in the Torah,

---

carry great weight in the Islamic world and to this day, he commands respect among the people of knowledge.

[223] Tafsir Ruh alMa`aani, V. 3, p. 145

[224] In this statement, the shaikh is making reference to those judging all the time without the Shari`ah or legislating. He is not calling those who are sinning or those who are occasionally failing in judgement to be kuffar as he explained in the complete tafsir in the source listed above. Even if they legislate partially by Shari`ah they have still have committed major kufr.

[225] 225-310 AH/840-922 AD. This great scholar was born in Tabiristaan in Europe and raised all over the Muslim world. So great was his scholarship that he is called the Shaikh of the scholars of Tafsir. He also was so steeped in erudite Islamic scholarship that he actually had his own madhhab, the Jaririyyah, who were mostly just scholars of tafsir (explanation of the Qur'an) and had mastered the field.

و من لم يحكم بما انزل الله فأولئك هم الكافرون

('And whoever does not judge by what Allah sent down, then they are Kaafirun')[226].

The Great `Aalim continues on in another place,

"They are those who do not judge by what Allah sent down in his book, but they replace, change and deform His judgement. They hide the truth, which he sent in His book. [227]

"Allah mentions that do those who are mushrikun (pagans) and associators with Allah have partners in their shirk and their astray ness, innovating for them a religion that Allah did not make permissible for them to innovate!!" [228]

The great Spanish Hanafi Imaam, al `Allamah Abu Hayyaan Muhammad ibn Yusuf al Andalusi al-Gharnaati رحمه الله [229] made the following comments about the ayah,

و من لم يحكم بما انزل الله فأولئك هم الكافرون

'And whoever does not judge by what Allah sent down, then they are kaafirun,' [230]

---

[226] Surat ul-Ma'ida, ayah 44
[227] Tafsir at-Tabari, V. 4, p.591-592
[228] Ibid., V. 11, p. 141
[229] 654-754 AH/1256-1353 AD. This great Hanafi scholar was alive during the horrid and destructive Christian campaigns against the Muslims. He is well respected by the Ummah and came from the city of Granada, which in his time was known for nothing but Islamic scholarship.

[230] Surat ulMa'ida, ayah 44

"The meaning is manifest and general and it is universal for this Ummah and for the others that came before them." [231]

THIS IS A FATWA FOR THOSE THAT ALLAY THEMSELVES TO THE KUFFAR AND THE MUNAAFIQUN.

Shaikh ul-Islam in his time, Shaikh Ahmad ibn Taymiyyah [232] رحمه الله had this to say,

"One of the manifestations of taking the kuffar as allies which Allah Y denounced the Ahl ul-Kitaab (Jews and Christians) and the hypocrites for is to believe in some of the kaafir ideologies, or to rule by their law and to leave the Book of Allah, [233]

ألم إلى الذين أوتوا نصيباً من الكتاب يؤمنون بالجبت و الطاغوت و يقولوا للذين كفروا هؤلاء أهدى من الذين آمنوا سبيلاً

"Have you not looked to those who have been given a portion of the Book? They believe in Jibt (magic and the false gods that go with it) and the Taghut (the false legislators/legislation) and they say to those who are kuffar

[231] al-Bahr al-Muhit, V. 3, p. 492

[232] 661-728 AH/1263-1328 AD. This `aalim is also called the encyclopaedia of Islam for the voluminous and detailed knowledge that he had of Islam, other false religions and history. He remains unparalleled and perhaps one of the greatest Hanbali scholars that ever lived. He was originally born in Harraan in Syria, and travelled the Muslim world extensively. He spent most of his life in jail due to his dedication to Islam and hatred for oppression. He was to die in prison, but his students kept his work alive and vigorous to the point where it has reached us today.

[233] Thus we can see from what the Shaikh is saying in ayah 51 of Surat ul-Ma'ida, after all of the verses where Allah I mentions Haakimiyyah, then He mentions who we may and may not ally ourselves with in terms of loving and hating for His sake.

(unbelievers) say, 'These (Jibt and Taghut) are more guided in way and methodology than those who believe.' " [234]

"A person who is obeyed in matters which are not accepted by Allah, and the person who is obeyed in other than the guidance of Allah, he is a Taghut. Whether you accept him in the news, which contradicts Allah's news, or if you obey his orders, which are opposite to His (Allah's I) orders, he is a Taghut. This why the person taken as a judge between believers and his ruling with other than Allah's Law is called in the Book of Allah a Taghut." [235]

---

[234] Majmu` Fataawa vol.28, page191

[235] Verse quoted, Surat un-Nisaa', ayah 51, source taken from Majmu` Fataawa vol.28, page 201

ACTIONS AND INTENTIONS EXPLAINED BY IMAAM IBN TAYMIYYAH

Imaam Ibn Taymiyyah رحمه الله made the following analysis,

"According to the madhhab of Ahmad ibn Hanbal, what about those who stopped paying the Zakah if they fight the Imaam for it, are they kuffar even if they admit they should do it? He says two opinions on the matter. On one occasion he said that they were kuffar and another occasion he said that they were not.

"The commentary to this is that the Sahaaba have unanimously accepted and the Imaams after them to fight the people who stopped paying the Zakah, even if they pray five times and fast the month of Ramadaan. Those kinds of people had no acceptable explanation for their actions. This is why they were called apostates and fought, because they stopped paying the Zakah even if they admit that they should pay the Zakah as Allah ordered."[236]

"And the Mongols and their likes are more worse in having left Islam and the Shari`ah of Islam than the people who stopped paying the zakah, the Khawaarij and the people of Ta'if who stopped making Riba (usury) Haraam.

"And whoever has doubts to fight the likes of these Mongols, he is one of the most ignorant people about Islam.[237] *And*

---

[236] Majmu` Fataawa vol.28 page 518

[237] Notice that Taqi ud-Din Ahmad ibn Taymiyyah رحمه الله didn't say, 'Whoever has doubts to fight the likes of these Mongols, he is a kaafir.' This is precisely due to the fact that the people of Ahl us-Sunna walJama`ah, when they see the reality, they don't accuse other people who don't think like them. There were many `Ulama in the time of the Shaikh رحمه الله who didn't think that the jihaad against the Mongols (also called Tatars) was valid, yet Shaikh

whenever you see them (the Mongols), you should kill them. Even if amongst them there are those that don't want to fight by unanimity of the Muslims. Like the Uncle of the Messenger ρ at the battle of Badr, when he said "I was forced to go with them". Then the Messenger ρ said,

'From your apparent you are against us and your intention is between you and Allah.'[238]

"And we do not know who is forced and not forced, we cannot distinguish between them. If we fight them according the order of Allah I we will have the ajar (reward) from Allah I and Allah I will burden us if we make any mistakes after that. And they (i.e. those killed) will be resurrected according to their niyyah (intention). Those who are forced to go with the enemies of Allah to fight the believers will come on the Day of Judgement according to their niyyah. If he is killed because that (i.e. the religion of Allah) is to prevail, his killing is not much worse to the Muslims than the Muslims who are killed fighting for the Shari`ah of Allah Y." [239]

"It is known from the religion by necessity, and unanimously by the Muslims to fight any group that stopped one Shari`ah of Islamic Shari`ah which is apparent and no body can dispute about it." [240]

---

ul-Islam رحمه الله didn't call them kuffar. This is clearly from the manners of Ahl us-Sunna that when you differ with someone, even if you are right, you maintain the proper manners. This statement of the Shaikh رحمه الله comes as a stab in the heart to the takfiri, who wants to label anyone who disagrees with him as a kaafir, and the member of the Khawaarij, who wants to kill anyone who disagrees with him as a kaafir.

[238] Ibid., V. 28, page 546
[239] Ibid., V. 28, page 547
[240] ibid., V. 28, p. 556

"The apostates, they must be killed until they go back from whatever makes them apostates and whoever fights from them he should be killed.[241] *Even those that do not fight from (amongst) them should be killed like the old man, the blind, the very weak and their women according to the majority (jamhur)."*[242]

The great scholar `Imaad ud-Din Ibn Kathir رحمه الله had this to say in regard to ruling,

"And He (Allah I) is denouncing the one who left from the judgement of the universal law that is established on every good and forbids from every evil. And it is the true justice that has no equal to the mere ideas, sheer desires and corruptions which men made without any established evidence from the Shari`ah of Allah. Just as the people of Jaahiliyyah (ignorance) judged by it from their astray ideas and ignorant thinking from what they innovated and concocted with their ideas and sheer desires, the Tatars also judged from the royal politics, taken from their king Genghis Khan who concocted and made up for them a collected book from the judgements which were put together from several shari`ahs, from Judaism, Christianity, Islam and others.

"And in it (the book of Genghis Khan) are a lot of judgements taken merely from his sheer thinking and desire. Then it came to be in his sons a followed law, and they preferred it to the legislation of the Book of Allah and the Sunna of the Messenger ρ.

---

[241] What can anyone say to Allah I when he reads these words and he remembers the Mujaahidin all over the Earth fighting for the Shari`ah.? How can any one of us accuse them, and they are doing the work for Islam?

[242] Majmu` Fataawa vol.28 page 414

"So whoever does that, then he has become a kaafir, and it is compulsory to fight him, until he returns to the legislation of Allah and His Messenger. So no one other than He (Allah I) should judge or legislate in any matter, be it small or large." [243] [244]

Ibn Kathir رحمه الله said in another place,

"Whoever leaves the Shari`ah of Muhammad ρ and is ruled by a Shari`ah of the past (e.g. Torah, Injil) he is a kaafir by the consensus of the Muslims. What about those who are not ruled by an abrogated Shari`ah, but al-Yaasa, and he puts it before the Shari`ah of Muhammad ρ? Certainly, whoever does that, he becomes a kaafir unanimously, by the consensus of the Muslims. [245] *Allah says,*

أفحكم الجاهلية يبغون و من أحسن الله حكماً لقوم يوقنون

'Is it the legislation of the Jaahiliyyah (Days of Ignorance) that they seek? And who is better in judgement than Allah for a people who are certain?' [246]

---

[243] This judgement of Ibn Kathir رحمه الله actually came after his explanation on Surat ulMa'ida, ayah 50. The reason why he didn't mention it immediately after ayaat 40-44 in the said surah, is that the shaikh is not just a commentator but an Islamic jurist and the jurist's methodology is to relate all the ayaat about the matter and the ahaadith which concern the matter along with the statements of the Sahaaba. Then after this, he will put his conclusion, which he did after Surat ulMa'ida, ayah 50.

[244] Tafsir Ibn Kathir, V. 2, p. 67

[245] No Muslim should differ with this consensus except the nowadays salafiyyah ('salafis') and sufiyyah (Sufis) who have a 'special' Islam for themselves.

[246] Surat ulMa'ida, ayah 51

فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم ثمٍ لا يجدوا في أنفسهم حرجاً
مما قضيت و يسلموا تسليماً

'No, by your Lord [O Muhammad ρ], they will not believe until they make you the judge in what they differed in, then they do not find in themselves any dispute from what you judged and they submit completely.'[247]

Allah has spoken the truth in this matter." [248]

Shaikh ul-Islam of his time, Badr ud-Din Mahmud al `Ayni رحمه الله, the great Hanafi `aalim, gives us advice to learn from this issue,

"Whoever made war to defend himself in stopping one of the obligations of Islam or stopping the right of someone, he must be fought and killed. If he defends himself and insists on not doing the obligation of Islam or stops the right of someone, his blood is nothing (Halaal)." [249]

Al `Allamah Abu Bakr Ahmad ibn `Ali ar-Raazi al-Jassaas رحمه الله [250] gives us an interesting piece of information,

---

[247] Surat un-Nisaa', ayah 65

[248] alBidaayah wan- Nihaayah Vol. 13. Page 119

[249] Imaam al`Ayni, `Umdat ulQaari fi Sharhi Sahih al Bukhaari, Chapter on Denouncing denying, refusing a fard, V. 24, page 81

[250] 305-370 AH/917-981 AD. This was a great Hanafi scholar and his benefits to the Ummah are well known in addition to his decisive statements regarding the haraam things in teh Shari`ah. Where are the great Hanafiyyah (Hanafis) today who are supposed to be opposing these evils? Why is it that only Ahmad Shaakir al Hanafi and a few others have stood up and 2/3 of the Ummah is Hanafi?

"The Messenger said to the People of the Book of Najraan, 'Either you leave Riba alone and stop dealing with it, or we will wage a vicious war from Allah and His Messenger against you.' He has prohibited Riba to be used by the People of the Book as he prohibited Muslims from it as well." [251]

Shaikh ul-Islam Ibn Taymiyyah رحمه الله has said,

"It is known by consensus of the religion of Islam and the Muslims that anyone who allows other than the Shari`ah to be followed, he is a kaafir. And his kufr is like the one who believes in some of the book and doesn't believe in another part of the book." [252]

This is precisely what our modern day rulers are doing. So who would try to stop the believers from striving in the cause of Allah I against them?

The Shaikh رحمه الله commanded us in another place,

"Whoever is calling for a bid`ah or an astray ness and his evil wont stop unless he is killed, he should be killed, even if he pretended that he repented and he wasn't a kaafir. This is like the leaders of the Shi`ah, who misguide people and likewise Muslims have killed Ghaiylaan al-Qadari, al-Ja`ad ibn Dirhim and their likes. [253] [254]

---

[251] Ahkaam ulQur'an, V. 4, p. 89. What about the usury and other evils that are in Makkah and Madinah today? What would the Messenger do today regarding these evils?

[252] Majmu`a Fataawa, V. 28, p. 524

[253] The two aforementioned characters went on to form their own movements, with alQadari founding the Qadariyyah movement, those who deny the power

"It is permissible and even compulsory to fight any group or party which refrains from a single order from the Shari`ah, from the known and the apparent Islamic law." [255]

"Whoever changed the Shari`ah of the prophets and innovates a law, then his law or his Shari`ah is baatil (false) and should not be followed, as Allah has said,

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

"Or do they have partners for them legislating a religion that Allah did not give permission for at all? Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment." [256]

Therefore, the kufr of Jews and Christians is because they hold tight to an abrogated Shari`ah…And this is the Shari`ah which everyone in the creation should follow. And no one has the right to go out of its' boundaries. And this is the Shari`ah which the Mujaahidin fight to support and the swords of Muslims helped establish the Book of Allah I and the Sunna of Muhammad ρ as Jaabir ibn Abdullah τ said,

---

of Qadr in Islam, and Dirhem denying the names and attributes of Allah I and doing corruption and distortion with the names.

[254] Ibid, p. 528
[255] Ibid., p. 556
[256] Surat ush-Shura, ayah 21

'The Messenger ordered us to strike with this (he pointed to the sword) whoever went out against this (he pointed to the Qur'an.)' [257] [258]

"The bid`ii person which went out of some of the Shari`ah of the Messenger of Allah ρ and his Sunna, then he kills Muslims and confiscates their properties, it has more priority to fight him than the faasiq, even if he thinks that this is permissible in the religion to do." [259]

"Any party that refrains from following a single order from the apparent Shari`ah of Islam, he should be fought until they are disciplined with the Shari`ah, even if they were announcing the two shahaadas (the two statements of 'I bear witness that there is No god but Allah' and 'Muhammad is His Messenger') and practising some of the Shari`ah." [260]

---

[257] Majmu`a Fataawa, V. 35, p. 365

[258] This is a proof that if the Shaikh was among us today, we know who he would call, bid`ii, mujaahid and a traitor. His words are as if he is speaking now.

[259] Ibid., V. 28, p. 471

[260] Majmu`a Fataawa, V. 28

WHAT THE SCHOLARS OF YESTERDAY AND TODAY HAVE SAID ABOUT THIS ISSUE

Al `Allamah al-Mufassir, Muhammad al Amin Ash-Shanqiti رحمه الله[261], reminds us of the importance of the Shari`ah,

"By these clear texts which we mentioned before, it reveals with clarity that those who follow the accursed man-made law which the Shaitan legislated on the tongues of his allies and supporters in contradiction to what Allah legislated on the tongues of His

[261] Shaikh ash-Shanqiti رحمه الله (d. 1393 AH/1973 AD) comes from a well-known family of scholars from Mauritania, who have always had an honourable position throughout Islamic history. They take their name Shanqiti from the Shanqit province, which they conquered through jihaad many years ago and made into an Islamic state. Muhammad alAmin came to Madinah in 1949 and later became the head teacher at the newly built university in Madinah in the same year.

He later died in 1973, but was known for his outspoken opinions, strong decisive rulings and his emphasis on Shari`ah issues. He is considered by many to be perhaps one of the greatest scholars this Islamic century. Muhammad Mukhtaar رحمه الله and other family members, also from the Shanqiti clan, are serving jail time in the Arabian Peninsula for their rulings and opposition to the shirk in ruling. Muhammad alKhidr رحمه الله was also one of the great scholars of the early part of this century.

The reason why we give so many footnotes about these great scholars is that there are many today who try to pass off the opinion that no 'real' scholars are speaking or did speak against the establishment of their rulers. They also like to assert that none of the Shaikhs with knowledge speak about kufr and shirk in ruling, because it doesn't exist or it is a 'new' topic. But what we intend to show these 'students' of knowledge and their 'shaikhs' is that this is far from being the reality. It is a bounty from Allah I that this scholar, although he had the government scholars of today in his class, he did not give them permission to teach his knowledge, for they were part of a government institution. These government scholars today are Shaikh Ibn Baz, Shaikh Muhammad ibn Saalih al`Uthaimin, and Rabi`a alMadkhali.

Messengers, that there is no doubt in their kufr and shirk except the one whom Allah has robbed of clear sight and blinded him to his revelation like them (those that go by man-made laws)." [262]

إن هذا القران يهدي للتي أقوم و يبشر المؤمنين الذين يعملون الصالحات أن لهم أجراً كبيراً

"This Qur'an guides to that which is the most correct and sound and it gives good news to those believers, who work righteous deeds. And they shall have a great reward." [263]

According to this ayah the Qur'an is guidance for the best of people. Thus, anyone who would follow a Shari`ah other than the Shari`ah of the Messenger ρ, it is pure and clear kufr and they are the worst of people. And this is the kufr that takes one out of the Islamic religion.

Shaikh ul Islam Muhammad ibn `Abdul Wahhaab [264] رحمه الله, said of this matter,

---

[262] Adwaa' ulBayaan, V. 4, p. 90-92

[263] Surat ulIsraa', ayah 9

[264] 1115-1206 AH/1703-1792 AD. This famous scholar was a treasure to the Hanbali school of thought. He was born and raised in the Peninsula and came from a family of great Hanbali scholars. During his time, the Peninsula was loaded with grave worship and the people therein were following and worshipping their shaikhs, rather than following the Messenger ρ and worshipping Allah I. He waged a relentless campaign of da`awa to bring the people back to Islam that lasted 51 years. On top of this, he was also making jihaad against the British, as well as those in the Peninsula who did not want to judge by the Shari`ah. He dedicated a sizeable portion of his life to fighting the innovations of the Jahmiyyah, Mu`tazila, Ashaa`ira and others. His descendants after him carried on the same tradition and include such people as Muhammad ibn Ibrahim, `Abdur-Rahmaan ibn Hasan, Muhammad ibn `Abdul-Latif, Sulaimaan ibn `Abdullah رحمهم الله and many other leading scholars.

"The second form of the Taghut[265] *is the tyrannical judge who makes changes to the judgements of Allah. The evidence for that is the statement of Allah, Ta`ala,*

ألم تر إلى الذين يزعمون أنهم آمنوا بما أنزل إليك و ما أنزل من قبلك
يريدون أن يتحكموا إلى الطاغوت و قد أمروا أن يكفروا به و يريد
الشيطان أن يضلهم ضلالاً بعيداً

"Have you not seen those who claim that they believe in what came down to you and what came down before you? They seek that they make judgement to the Taghut (false legislators) and they were already ordered to disbelieve in it. And Shaitan seeks to lead them far, far astray."[266]

"The third form of the Taghut[267] *is the one who makes judgement to other than what Allah sent down. And the evidence for this is the words of the Exalted One,*

---

[265] Taghut is a false legislator and is derived from the root Taghyaan, which means, "to exceed the proper bounds." There are three forms of Taghut systems,

1. Taghut in the system of legislation
2. Taghut in the system of worship
3. Taghut in the system of obedience

   Please see ad-Darar as-Sunniyyah, V. 10, page 502-524

[266] Surat un-Nisaa, ayah 60

[267] Although the Taghut has three forms of system, it has five leaders that command it, as Ibn Qayyim رحمه الله has said,

1. Shaitan
2. The one who is worshipped and is pleased with it
3. The one who calls others to worship him
4. The one who claims knowledge of the unseen
5. The one who rules by other than what Allah sent down

   Please see Madaarij as-Saalikin

   Muhammad ibn `Abdul Wahhaab رحمه الله made five categories, but there was a different classification of the fifth aspect,

1. Shaitan

و من لم يحكم بما أنزل الله فألئك هم الكافرون

'And whoever does not judge by what Allah sent down, they are Kaafirun (unbelievers).' [268] [269]

Shaikh ul-Islam al `Allamah Muhammad ibn `Ali ash-Shawkaani رحمه الله, [270] the great Zaidi scholar, made the following conclusion about the shirk in legislation,

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

"Or do they have partners for them legislating a religion that Allah did not give permission for at all? Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment." [271]

"Whereas it has been made clear the law of the Glorified One in the order of the Dunya and the Hereafter, He followed it up

---

2. The one who judges by other than what Allah sent down
3. The one who claims to have knowledge of the unseen besides Allah
4. The one who is worshipped and is pleased with being worshipped
5. The tyrannical judge who makes changes to the judgements of Allah

Please see ad-Darar us-Sunniyyah, V. 1, page 109-110

[268] Surat ulMa'ida, ayah 44

[269] ad-Darar us-Sunniyyah fi lAjwabat un-Najdiyya, V. 1, pgs. 109-110

[270] 1173-1250AH/1760-1834 AD. This great `Aalim originally came from Yemen and was a scholar well respected by this Ummah. He was a part of the Zaidiyyah sect, which is the only Shi`a group that is from Ahl us-Sunnah walJama`ah. He was its' chief proponent. He lived for Islam and was always striving to fulfil what Allah sent down. He was one of the great Imaams of truth and today remains a thorn in the side of the `ulama who wish to placate the satanic rulers. The shaikh also has to his credit such works as Nail alAwtaar and many others.

[271] Surat ush-Shura, ayah 21

immediately with explanation of the enormous sin which makes the fire imminent (legislating) and the interrogative tone in the ayah is to endorse that and to torture and rebuke with the words.

"And the pronoun in the word (legislating) goes back to the partners while the other pronoun (for them) related to the kuffar. And the meaning of 'what Allah did not give permission for' means what Allah did not permit from any association or sin." [272] [273]

Shaikh Salmaan ibn Fahd al`Awdah حفظه الله [274] contributed to this discussion strongly,

"Some of the differences met on that are pure and blindingly bright kufr which there is no doubt in are the likeness of gatherings of racialist and nationalist political parties and groups on the politics of raising nationalism and denying the

---

[272] Fath ulQadir, V. 4, p. 533

[273] This fatwa is a clear-cut to prove that the understanding of the scholars is that any form of legislation is shirk. And those who accept these legislations are pagans. There is no difference between legislation to worship or legislation to disobey as it is the right of Allah alone.

[274] This is a well-known scholar of the Arabian Peninsula and is one of our younger scholars of the Ummah. He has been sounding the alarm for the Ummah for years and calling for a return to the Shari`ah. He and 1500 other scholars were arrested in 1995 in a crackdown on Islamic scholars and those that were opposing the regime. It was deemed by big scholars like Ibn Baz and `Uthaimin to be a good move in jailing these scholars. Shaikh Salmaan is a young man with a family and has always stood for the truth as far as we know. Since his release and some of the others, such as Shaikh Safar ibn `Abdur-Rahmaan alHawaali, Shaikh Naasir al`Umar, Aa`id alQarni and others, they have all been barred indefinitely from teaching, cassettes and writing books.

brotherhood that exists due to imaan. Also is the moving of the right of legislation and authority to men, instead of Allah."[275]

Al `Allamah al-Morasses Muhammad al-Amin ash-Shanqiti رحمه الله has said regarding the ayah,

و إن أطعتموهم إنكم لمشركون

"And if you obey them, you are mushrikun (pagans)."[276]

"Truly, it is a fatwa straight from the Creator I, that whoever follows the legislation of Shaitan in contradiction to the legislation of ar-Rahmaan (the Most Merciful) is a mushrik (pagan), making shirk with Allah."[277]

The former Mufti of the `Arabian Peninsula, al `Allamah (most knowledgeable scholar in religious doctrine), al-Muhaddith (the hadith scholar), the faqih (Islamic jurist), Shaikh Muhammad Ibn Ibrahim [278] رحمه الله made the following comments,

---

[275] Siffat ulGhuraba, p. 64

[276] Surat ulAn`aam, ayah 121

[277] Adwaa' ulBayaan. This great imaam has said those that are following the legislation are mushrikun. It means automatically without a shred of doubt that those who legislate are greater mushrikun and the fountainhead of shirk, with the spring of apostasy going forth for their followers to drink from. It also means that they are shayaatin as you can see that he made the right term for them in the tafsir. We are very surprised after all of this evidence that there are those who are fighting for and defending the Shaitan. Especially if they still want to return to the title that they are the guided followers of the salaf. Surely this can only be a statement of insane people.

[278] This was a great scholar (1311-1389 AH/1891-1969 AD), best known for his monumental work, alFataawa.

The Shaikh spoke on everything from the drug Qaat all the way up to how to kill the apostates, the punishment for those who replace the Shari`ah and so forth. He is one of the scholars of jihaad that called for it and was not

"As far as the saying, kufr duna kufr (a kufr of a lesser degree), it is when the judge makes judgement to other than Allah with firm conviction that it is disobedience. He believes that the judgement of Allah is the truth, but he left from it in one matter. As far as whoever made laws in succession and makes others submit to it, then it is kufr, even if they said, 'We sinned and the judgement of the Revealed Law is more just.' This is still kufr that removes from the religion." [279]

The Shaikh elaborated in another place,

"And it (the major kufr of replacing the Shari`ah) is more enormous, more universal, more distinct and more clear in its stubborn opposition to the Shari`ah. And stubbornness and arrogance to his judgements, being lax to Allah and His Messenger, making resemblance to the Shari`ah courts, arranging, setting up, preparing, establishing a foundation, making applications and usage, shaping, forming and organising, of a mixture of various things and themes in the process of modification (of the Shari`ah), making judgement, making it compulsory, and making judgements by turning to authorities.

"Then just as the Shari`ah courts turn to authorities, all of them (the authorities) returning to the Book of Allah and the Sunna of His Messenger ρ, then what the authorities turn to of it (the false

---

ashamed to do so. One of his students was `Abdullah ibn `Abdur-Rahmaan al Jibrin, who was his top student and is still teaching now (and also teaching Tawhid al-Haakimiyyah, like his teacher) has been distanced from the Major Scholars of the Peninsula for some of his views. The son of Muhammad ibn Ibrahim, Shaikh Ibrahim bin Muhammad حفظه الله is the inheritor of his father's legacy and is in exile in the Peninsula for standing for the truth. This just shows us that not all of the `Ulama in the Peninsula are the lap dogs of the regime.

[279] Fataawa Shaikh Muhammad bin Ibrahim, V. 21, page 580

Shari`ah) are concocted and trumped up laws from various shari`ahs, several different law systems, such as French law, American law, British law and other laws and from different schools of thought, some attributing bid`ah and other things to the Shari`ah.

"Then these courts are now in most of the urban centres of Islam, prepared, perfect and complete, the doors have been opened and people are swarming to them one after another, their rulers judging between them by what is in direct opposition and contradiction to the judgement of the Sunna and the Book, from the judgements of that law (the false Shari`ah) and coercing them to it and establishing it over the Shari`ah (the true Shari`ah of Allah) and imposing and making it incumbent on them. ***THEN WHICH KUFR IS ABOVE (MORE AMPLIFIED AND MORE CLEAR THAN) THIS KUFR?*** *And which opposition to the Shahaada (testimony) that Muhammad is the Messenger of Allah is after this opposition and violation?"* [280] [281]

al `Allamah Ibrahim ibn Muhammad ibn Ibrahim حفظه الله, the son of the Shaikh we mentioned previously, made mention of a kufr

[280] Tahkim alQawaanin, p. 6

[281] We need to also understand the great urgency that the Shaikh wrote this message with. This speech, originally taken from a speech made on television in 1380 AH (1960 CE), was made as a warning of things to come. It has been largely ignored in our era, which is why it is so vital to revive its' message. The style of Arabic it was written in was of such high quality, that it was indeed difficult to translate, as well as the poetic style it has in its original Arabic form. With this, and the wealth of information present in its simple eight pages, it stands not just as a set of Fataawa, but as a wasiyya (last will and testament) of the Shaikh, as this was his last book before his death in 1389 AH (1969 CE) at the age of 78. Here we are shown the final position of one of the greatest scholars of this era against the onslaught of Taghut systems.

called Istibdaal (the kufr of replacement of the Shari`ah) Here he classifies it into three categories of major kufr. Let's read and learn from this scholar,[282]

1. "Replacing (istibdaal) the law of Allah I with man made laws. This is where someone actually legislates a new law and attributes it to the Shari`ah or he makes his own fabricated Shari`ah. This example is spoken of below,

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

'Or do they have partners for them legislating a religion that Allah did not give permission for at all? Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment.'[283]

"Allah I also asked those who want to legislate or even head for the false legislators,

أفحكم الجاهلية يبغون و من أحسن الله حكماً لقوم يوقنون

[282] This is the son of the great scholar al `Allamah Muhammad ibn Ibrahim. He is currently in exile and is denied his basic rights as a human being. His books are not printed except by the underground Islamic movements, and he is not able to leave from the Peninsula or to make contact with most of the outside world. Upon the death of his father, he was considered the most knowledgeable for the position of Mufti, but he was over ruled and removed. This particular statements of his and similar pronouncements can be found in the introduction to Tafsir Surat ulFatihah by Muhammad ibn `Abdul Wahhaab, p. 1-5 as well as Muhammad Nasib ar-Rifaa`ii's book of tafsir in Baab ulKufr and Baab udh-Dhunub, which is distributed in Syria, Lebanon and other places.

[283] Surat ush-Shura, ayah 21

Allah's Governance On Earth

'Is it the legislation of the Jaahiliyyah (Days of Ignorance) that they seek? And who is better in judgement than Allah for a people who are certain?' [284]

2. "Denying the law of Allah without renouncing them. This is the equivalent of someone saying, "This particular law doesn't suit this time period, but these other laws are still satisfactory." Essentially, this is disbelief in one law while believing in another,

أ فتؤمنون ببعض الكتاب و تكفرون ببعض فما جزاء من يفعل ذلك منكم إلا خزى في الحياة الدنيا و يوم القيامة يردون إلى أشد العذاب و ما الله بغافل عما تعملون أولئك الذين اشتروا الحياة الدنيا بالآخرة فلا يخفف عنهم العذاب ولا هم ينصرون

"Is it you believe in a part of the book and you disbelieve in another part? Then what is the reward for the one who does that except disgrace in this life and on the Day of Judgement? They will be subjected to a worse punishment and Allah is not unmindful of what you do. They are those how have purchased this life with the Hereafter. The punishment will not be lightened for them nor will they have any help." [285]

3. "Denying the law of Allah I and renouncing them. This is when someone denies the law of Allah by failing to judge by what Allah sent down all of the time.

"This third type of Istibdaal is played out in the verses where Allah I says",

و من لم يحكم بما أنزل الله فألئك هم الكافرون

[284] Surat ulMa'ida, ayah 51
[285] Surat ulBaqara, ayaat 85-86

'And whoever does not judge by what Allah sent down, then they are Kaafirun (unbelievers).'

و من لم يحكم بما أنزل الله فألئك هم الظالمون

'And whoever does not judge by what Allah sent down, then they are Zaalimun (oppressors).'

و من لم يحكم بما أنزل الله فألئك هم الفاسقون

'And whoever does not judge by what Allah sent down, then they are Faasiqun (rebellious sinners).'[286]

The great scholar of Islam, al`Allamah Shaikh Haafiz ibn Ahmad ibn `Ali al-Hakami [287] رحمه الله made these remarks in regards to the bid`ah that is major kufr,

"Whoever denounces the ijmaa` of the `Ulama by denying the fard or imposes whatever Allah did not impose or makes Halaal Haraam or Haraam Halaal, some of these people are deliberately damaging Islam. These kinds of people are kuffar without any doubt. These kinds of people are not actually from the religion. They are the greatest enemies to Islam. Some of the people (lay man) are tricked, but they (those who have denied a fard) can be called kuffar once the evidence has been established against them."[288] [289]

---

[286] These verses are located in Surat ulMa'ida, ayaat 44-47

[287] 1342-1377 AH/1924-1958 AD. Shaikh al-Hakami is the author of the work, Ma`aarij ulQabul. He is a well known scholar from the principle who spoke the truth and left behind a great legacy for the Ummah. May Allah I reward this scholar of truth.

[288] Ma`aaraj ul-Qabul Bab-al-Bid`ahh Mukaffirah vol 3, p. 1228.

[289] Why do the followers of those who call themselves salafis not fight this bid`ah and call others innovators. Is not al-Hakami one of their great scholars? On the contrary, they call whoever is following the Imaam and fighting this bid`ah an innovator!

The martyred scholar, Shaikh Sayyid Qutb رحمــه الله[290] has explained to us,

"One of the most precious things to Allah is ***Haakimiyyah.*** *Whoever legislates for a group of people is taking the place of Allah as God to be followed and obeyed. And he is using the holy names of Allah for his own purposes. They are his slaves and not the slaves of Allah I. They are in his religion and not the religion of Allah I. This matter my dear brothers it is the most dangerous and greatest of all when it comes to `Aqidah (belief and creed). This is a matter of Uluhiyyah (Divinity for Allah) and `Ubudiyyah (true slavery to Allah). This is a matter of kufr and imaan about Jaahili and Islam. Jaahiliyyah (ignorance in legislation) is not a period of time but a state. Any jaahiliyyah period is dependent on the environment."* [291]

We also count the words of one of the callers and inciters to the Shari`ah and going out in the path of Allah. Let us think deeply on the words of the Shaikh, former tafsir teacher at al-Azhar, al `Allamah Shaikh `Umar `Abdur-Rahmaan al-Masri حفظه الله,[292]

---

[290] Shaikh Qutb رحمــه الله, for his aggressive and unrelenting attempts to get the Shari`ah implemented, was ultimately murdered by the regime of Jamal `Abdun-Naasir in Egypt in 1965. The written works he left behind and his humble and courageous example in the face of oppression remain as a living testament to the battle of Tawhid today.

[291] Fi Zilaal ilQur'an

[292] This particular speech was made in court, after the Shaikh (b. 1938) had been arrested and put on trial by the military court in Egypt. Undaunted by the possibility that he might lose his life, he still spoke the truth to the judge and all those present. Before and after this monumental case, he spent many years in prison in southern Egypt, before his eventual release, escape from Egypt and subsequent arrest in America in 1994. He is held in prison on trumped up charges of international terrorism and attempts to destroy U.S. landmarks (14 counts altogether). He has written over 10 works and is best known for his Tafsir ayaat ulHaakimiyyah, Tafsir Surat ut-Tawbah (4,000

"Ruling by man-made law imported from the kaafir countries to be applied in Muslim countries especially in matters clear and apparent opposing the Shari`ah of the Kitaab (Book) and Sunna is Kufr and misguidance without any doubt.

"With this evidence, we are saying that ruling by other than Allah's Law and judging by other than Allah's Law is Kufr.

"O you judge! The head of the court, I have given the proof to you and the truth has become apparent. The fajr (dawn) and subaah (morning) are clear to everyone. You must rule by Allah's Law and apply the rules of Allah. If you do not do so you are a Kaafir (unbeliever), Zaalim (oppressor) and Faasiq (rebellious sinner)."[293]

The scholars Shaikh Al-Haafiz `Umar `Abdur-Rahmaan[294], Shaikh Naajah Ibrahim[295], Shaikh `Isaam ud-Din al-Darbaalah

---

pages) and his other tafsir works on Surah Yusuf, `Ankabut and Ma`aarij. He is considered one of the few modern Mufassirun (explainers of Qur'anic revelation) living today.

[293] Kalimat ul Haqq, page 64-65

[294] This Shaikh was a tafsir teacher at alAzhar and is well respected even to this day. One of his most monumental works is the 4,000 page Tafsir Surat ut-Tawbah, which scared his enemies into submission from the stinging knowledge contained within its pages. He is one of the few accredited modern Mufassirs (scholar of tafsir) today. He is presently held in jail in the United States on trumped up charges. May Allah make it easy for his release so we may benefit from his knowledge again.

[295] This particular scholar has been held in jail on more than one occasion. He was an acquaintance of Muhammad `Abdus-Salaam Faraj, as well as many of the other sincere brothers struggling for life. The other two brothers that wrote the book are also very accomplished in the field of Islamic knowledge. All are members of the outlawed group Jama`at ul-Islamiyyah. At present, there is a witch hunt for members of the group, in the east and the west, as well as the military wing, Jama`at ulJihaad, has been sent into exile in the

and Shaikh `Aasim `Abdul-Maajid [296] had this to say on the topic of the rulers over the Muslim lands in this era,

"And the rulers of today have given their allegiance to the east and the west, both of which are kaafir. And all of the love is given to the Jews and the Christians. The hatred with pure animosity, warfare and plotting and deception are used on Islam and its people. And they have in this time left the judgement of the book of Allah. They have replaced the Divine Revealed Law and on top of all of that, they claim that they are Muslims. They also have the evil scholars working for them, giving them the title of 'khalifa' and al-Haakim bi amr illah ('The Law giving legislating Judge by the order of Allah').

"The youth have been ordered to give allegiance to the rulers, and to show pleasure in their kufr, make judgement to their legislation of the new religion of secularism between creation. They make the news of it and spread it around and put it in the minds of the children. The call of this new religion is that the masjid is for Allah and the rulers legislate. [297]

The brothers continue on in another place,

---

mountains of Afghanistaan. This happened when some people in the leadership began to negotiate with the government. This led to more corruption and great evil. The members of the group continue the struggle still, without those leading members that put down the sword. Shaikh `Umar `Abdur-Rahmaan, the head of the group, replied from jail that he does not support this, nor is it from his da`awa or the da`awa of Islam.

[296] These scholars wrote this book in prison, under the tyranny of the Egyptian regime. What was the reason that they suffered this hideous torture? It was for no other reason but for calling for Shari`ah and reviving the term Tawhid al-Haakimiyyah. The book was originally written in 1984 in their shared jail cell and came as a thunderclap in the face of the evil rulers.

[297] AlMithaaq alIslami al`Amali, p.22

"And we are not pleased with other than Allah as Judge and Legislator, just as we are not pleased with other than Allah as Lord. Thus, whoever creates, then He has dominion, and whoever is Malik (King), then He judges, forbids, orders, ordains pre-ordainments, legislates and He is the Most Knowledgeable, the Most informed of all affairs.

"Thus whoever legislates besides Allah and replaces the Shari`ah of Allah in another legislation, then already he has opposed Allah in His legislation. He has made himself a partner with Allah and a rival and he has left from the fold of Islam. Going out from them is compulsory and they are the rulers of today, who have apostated."[298]

The Imaam of the scholars of ahaadith in this era, the Mufassir (one who makes tafsir of the Qur'an), the Muhaddith (scholar of hadith) al`Allamah (the most knowledgeable scholar) Shaikh Ahmad Muhammad Shaakir رحمه الله[299] had these stunning points to elaborate on,

"And for those whose effort for legislation is not according to Islamic rules he will not be a mujtahid or a Muslim if he means to legislate a law.

"We see many of the people given the task of legislating or judging or explaining or defending these laws as Muslims

[298] ibid., p. 26-27

[299] The great scholar of hadith and tafsir, Ahmad Shaakir (1309-1377 AH/1892-1958 AD) was well known in the Ummah and was really the first Qaadi (a judge in the Shari`ah court) of the modern era to confront the replacement of Islamic law with man made law with a bold and outspoken style. In addition to this, he left behind many works, such as Hukm ulJaahiliyyah, `Umdat ut-Tafsir and As-Samaa` wat-Ta`aa, to name a few. It is good to see that in the modern era, not every hadith Shaikh or `aalim hides behind the evil regime or his master to increase his chequebook. Some, like the Shaikh, will actually stand up.

because they are praying, fasting, paying Zakah and performing Hajj. You cannot say anything against their `Ibaadah. But when you seen them in their jobs these laws have gone very deep into their hearts like Shaitan in their blood.

"They are very keen to apply and defend these laws. They forget anything at this time to do with Islam and with regard to legislation except that some of them trick themselves that they say we have to use fiqh for legislation. When they come to legislation they feel there is no obligation in Islam about legislation and are very strict and harsh about this jaahili law.

"To Hell with new legislation! I have said before and will always say that there are three people:

1. *Legislators*
2. *Judges*
3. *Defenders*

"At some times they have the same Hukm (legislation) and their destination is the same (i.e. Hellfire). For those that legislate, he surely makes the laws and he believes they are right and believes what he is doing is right. Those who are legislating, they are kuffar, even if they pray or fast.

"For the judge, his condition needs to be researched. He might have an excuse if the law matches Islam. If you look carefully this excuse does not stand. If he rules with that which contradicts Islam, then he is surely one from this hadith,

" Whoever is ordering people to do haraam, we shall not obey him."

"For this judge to listen and obey the legislator or defending people that judge with something other than the laws of Allah or

in something which is against the Islamic Shari`ah, if he listens and obeys he will have the same sin and punishment as the people who ordered him, he will become exactly like them.

"The people who make the law (false shari`ah) today have innovated in respect to the law (the Shari`ah). If there are two laws which contradict, one (being) Islamic, the court must apply the law (from the false Shari`ah) to the legislator, not the normal one (the Islamic law)"[300]

The Shaikh elaborates on the point further in another work of his,

"Is it then lawful with this in the Shari`ah of Allah that he judge the Muslims in their lands by the legislation of pagan, atheistic Europe? On the contrary, the legislation comes from false and fabricated opinions. They change it and replace it according to their whims.

"No, its inventor is unconcerned or remote from the Shari`ah or its' violation. This has not tested the Muslims, as far as we know of in their time, except in that time, the time of the Tatars. And it was a wicked time, a period of great oppression and darkness.

"Thus in these clearly invented laws, as clear as the sun, it is clear kufr, no doubt about it. There is no persuasion and there is no excuse for any one who is affiliated to Islam, being whoever it may, in acting on it, submission to it or establishing it."[301]

---

300 As-Samaa` wat Ta'aa page 16-19
301 Hukm ulJaahiliyyah, p.

The great al `Allamah Al-Haafiz Shaikh Muhammad Taqi ud-Din al Hilaali رحمـــه الله, [302]after mentioning the Tawhids

[302] 1315-1409 AH/1897-1988/9 AD. This great scholar is well known to the students of knowledge as well as the people of knowledge. He was originally born in Morocco to a very religious family and is a direct descendant of the Prophet I through his son-in-law `Ali, through his son Hussain. When he was 9 years of age, he memorised the Qur'an and began to study the rudiments of the Maaliki fiqh. However, upon reaching his adolescence, he was sent to study in different places, one of those being the Arabian Peninsula. Shaikh alHilaali learned well and would travel from there as an adult to the West to call people to Islam.

He would later fly to Germany, study German and English, in addition to attaining a doctorate in chest diseases from the medical department. Even during this time, he was always calling the people to Islam. When Hitler came to power, he had to flee from Germany and was back in Madina. While there, he met many of the great `Ulama, from the late Shaikh Muhammad ibn Ibrahim all the way to Shanqiti. As the years went on, he would meet several great personalites, including the great Shaikh ulHadith Muhammad alAmin alMasri, who is is prison in Egypt presently as well as his sister being sexually assaulted in the Arabian Peninsula.

AlHilaali decided to translate and make tafsir on the Qur'an as well as to translate Sahih alBukhaari after a dream in which he says Muhammad ρ, ordered him to give the knowledge to the people. After that, he worked hard on the translation with several other scholars. What resulted was a nine-volume work, entitled Tafsir Qur'an alKarim, which was done in English, German and Arabic. In it, he discussed every thing from fiqh to Tawhid al-Haakimiyyah (what some scholars, including himself, also call Tawhid alIttiba`a) and called for Shari`ah and vigorously campaigned against the Shi`a, the rulers of his time and many other evils. Those Salafis who also deny as a bid`ah (innovation) Haakimiyyah or Ittiba`a as a fourth aspect of Tawhid shouldn't read the English version of the Qur'an, Bukhaari or Alu' Lu' walMarjaan, for they were all translated by alHilaali, who believed in this aspect of tawhid. In his life, he was also able to complete a translation of Alu' Lu' walMarjaan into English, which was basically a book of hadith agreed upon by Bukhaari and Muslim.

He also did many books against the Shi`a, who were sending their missionaries into Morocco and no one was saying anything. His dedication to

Rububiyyah, Uluhiyyah and al Asmaa' was-Siffaat, made the following comment about the fourth Tawhid,

"The Unity of following the Messenger of Allah ρ, Tawhid alIttiba`a and this is included in the meaning of 'I testify that Muhammad ρ is the Messenger of Allah and that means 'none has the right to be followed after Allah's Book (orders) in the Qur'an but the Messenger of Allah ρ."

The Shaikh continued on in another place regarding what the meaning of Tawhid alIttiba`a is,

"A confession with your heart that you have to say, 'O Allah! I testify that Muhammad ρ is Your Messenger.' That means that none has the right to be followed after Allah I but the Prophet Muhammad ρ, as he is the last of His Messengers. As for others than Muhammad ρ, their statements are to be taken or rejected as to whether these are in accordance with Allah's Book (i.e. the Qur'an) or with the traditions of the Prophet ρ (i.e. the Sunna) or not. So whoever has confessed this (the Shahaada with His Lord), he shall not commit sins like robbing, killing, stealing, illegal sexual intercourse, eating pig's meat, drinking alcoholic beverages, taking undue advantage of orphan's property,

---

Islam was so great, that it even culminated in his visiting North America, which is unlike many of these scholars today, too busy enjoying their concubines and shaving their beards to be concerned with the Ummah. But the scholars and tyrants wouldn't tolerate his work in da`awa for long. He was arrested not long after his arrival in Morocco in the 1980's. He would be arrested many times after that and would finally die in prison in 1988/9 from deprival of food and so forth. May Allah I have mercy on him and bless him for the service he did for the Ummah, especially the English and German speaking Muslims. His name has been used in the translation of the Noble Qur'an, however, his statements have been explained away and mellowed, to make the issue of Haakimiyyah that he stressed mild. We will soon, Insha'allah, be doing an accessory to go with the Noble Qur'an so that the creed of the English-speaking Muslims is protected.

cheating in trade, bribery and earning money through illegal means, etc. or otherwise the limbs and the organs of his body will testify against him that he was a liar in his words which he pledged to Allah." [303]

The Kuwaiti scholar, Shaikh `Abdur-Razzaaq ibn Khalifa ash-Shaayiji حفظه الله[304], gave explanation to the issue of ruling,

"And there has already come from these 'learned ones,' those that claim that the ***Tawhid alHukm (the Tawhid of the judgement of Allah)*** *is not from Tawhid and that to judge by other than what Allah sent down is only kufr duna kufr (a minor kufr). However, there is a major distinction between the one that made the judgement of man to prevail over the judgement of Allah or equal to the judgement of Allah, and the one that sins, interpreted or in one matter gave judgement to other than Allah, with firm conviction that the judgement of Allah is the truth, which is not permissible to have contradiction about."* [305]

Al `Allamah Shaikh Muhammad Haamid al- Fiqhi رحمه الله explained,

---

[303] See Tafsir alQur'an alKarim by Shaikh alHilaali, in English, German and Arabic, p. 14-17.

[304] This brother recently put himself in trouble with the authorities when he split from the fake 'Salafiyyah (Salafis)' and demanded Shari`ah in the Muslim world. In addition to this, he stressed that Shari`ah was directly associated with Tawhid and conducted a one-man war against the Salafi establishment in Kuwait and those in the rest of the Muslim world. His books and scholarship are well respected by Ahl us-Sunna. His most famous work is his alKhutuut al`Aridah, which exposes the true intentions of those serving the tyrants. Although one of our younger Shaikhs in this era, it is good to see that cowardice is not a disease that every scholar in the Ummah is suffering from these days.

[305] Adwaa' `ala fikr id-du`aat is-Salafiyyat ilJadida, p. 41

"Whoever takes from the words of the European laws, judging to it in matters of blood relations, sexual relations and wealth and he makes it superior over what he knew and it is clear to him from the Book of Allah and the Sunna of His Messenger, then he is without doubt a kaafir, a murtadd (apostate) when he sticks to it and doesn't return to the judgement by what Allah sent down. It doesn't benefit him, whatever name he has, nor does it benefit him any deed he does from the outward deeds, such as salaah, fasting, hajj and so forth." [306]

The Martyred scholar [307], Shaikh `Abdullah `Azzaam رحمــه الله made mention of those who leave the Law of Allah I,

---

[306] Fath ulMajid, Sharhu Kitaab it-Tawhid, p. 396

[307] 1360-1409 AH/1941-1989 AD. This was a great Shaafi`ii scholar and Mujaahid in the way of Allah. He had obtained a degree in Shari`ah from Dimashq (Damascus) University, a master degree in Shari`ah from alAzhar, a degree in Usul ulFiqh from al Azhar and while in Egypt came to know the family of Sayyid Qutb رحمه الله very well. The Shaikh was to get involved in the jihaad in Palestine first, and then some time later, head to Pakistan to find out more about the Afghaan jihaad. After his stay in Pakistan, he migrated to Afghaanistan and became famous for his bravery and work in the service of Allah I through jihaad.

During his time in Afghaanistan, he called others to join the struggle, and those that responded to his call of jihaad came to assist in the struggle against oppression. Those who came to the Afghaan jihaad in search of Allah's I pleasure would be Shaikh `Umar `Abdur-Rahmaan and his entire jama`ah, many other scholars from abroad and a young man who would later be known as Abu Hamza. All of these people were directly affected by the work and efforts of the Shaikh. After all of his scholarly achievements and work on the battlefield, he was to be granted martyrdom when the Mossad (Jewish secret service) detonated a bomb in his car by remote control on November 24, 1989, while he was driving to the masjid on Friday for Jumu`ah in Peshawar, Pakistan. Those killed were himself and his two sons, Muhammad and Ibrahim. The memory of this great man remains as a model and guidance to those who follow the call of Allah I and are willing to sacrifice and work in His I cause.

"Whoever abandons making judgement to the Shari`ah of Allah or is pleased with any legislation over the legislation of Allah or associates with the Revealed Law of Allah with other legislations from the man made laws of their desires and is pleased with the replacement of the revealed law of Allah with another law, then he has already left from this religion with the mantle of Islam being lifted from his neck. Thus he should be pleased with himself that he has left from the religion as a complete kaafir."

The Shahid expounds in another place,

"The law of Napoleon or some other law was established in place of the religion of Allah, and it has been made a decisive and clear legislation in politics, in gatherings of honour, wealth and with regard to the matters of blood relations. And it doesn't bear any other interpretation besides kufr." [308]

Shaikh `Abdur-Razzaaq ibn Khalifa ash-Shaayiji حفظـــه الله mentions the issue concerning us,

"And it (Tawhid al-Haakimiyyah) is not an innovation in the religion, imaan or tawhid. On the contrary, it is from the pillars of tawhid and it is to single out Allah I alone in His Haakimiyyah and to prefer the legislation of Allah and His Messenger and the obedience of Allah and His Messenger over the obedience and legislation to anyone else.

[308] al `Aqidah wa Atharihaa fi banaa' alJaili Shaikh `Abdullah `Azzaam, p. 116 and 135.

"And it is from imaan to believe that the legislation is for Allah alone and that whoever is pleased to have a choice in the legislation other than Him in any matter from the matters of life, then he is a kaafir, just as Allah has said,

ألم تر الذين يزعمون أنهم أمنوا بما أنزل إليك و ما أنزل من قبلك يريدون أن يتحاكموا إلى الطاغوت و قد أمروا أن يكفروا به

'Have you not seen those who claim that they believe in what came down to you and what came down before you? They seek that they make judgement to the Taghut, and they were already ordered not to believe in it.' [309]

فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم ثم لا يجدوا في أنفسهم حرجاً مما قضيت و يسلموا تسليماً

'No, by Your Lord (O Muhammad ρ), they will not believe until they make you the judge regarding wherein they differed and they find no constraint/resistance in themselves from what you judged and they submit completely and in totality.'" [310]

al `Allamah `Abdullah ibn Qa`ud, [311] the great scholar from the Arabian Peninsula had this to say,

"The abolition and elimination of the legislated laws from the judgements of Islam well known by its' legislation from the religion of Islam by necessity and making lawful the concocted

---

[309] Surat un-Nisaa', ayah 60

[310] Surat un-Nisaa', ayah 65

[311] This was a great `aalim of Islam and he was very strong in his fataawa against legislation. He was a head of the last remaining Shari`ah courts in the Peninsula in Najraan. He was always resisting kufr in legislation and refusing to participate in the shirk in legislation. It is too bad today that many scholars just keep putting themselves in the target area by sitting on a panel of legislators helping the rulers.

and fabricated laws formed by men in opposition to it (the Shari`ah), replacing of it (the Shari`ah) and the judgement by it (the new laws) between human beings and bearing it over them for judgement to it, then truly, that is shirk with Allah fi Hukmihi (in His legislation)." [312]
O Muslims all over the world, after these decisive ayaat, clear explanations by the actions and words of the Sahaaba τ, the beautiful and strong words coming from the scholars and their ijmaa` on this issue, can any Muslim have a shred of doubt about the kufr of those who legislate against any of the issues of the Shari`ah? Can anyone have any doubt that these people must be removed, striped from power and be made an example for the other enemies of Allah I?

Let us not forget that some of these scholars quoted above have been killed for their statements, such as Sayyid Qutb, `Abdullah `Azzaam, Muhammad Taqi ud-Din al Hilaali, Hasan alBanna and others رحمهم الله. Some are on the way to being killed, like Shaikh `Umar `Abdur-Rahmaan حفظه الله. Muslims who rejected these fabricated shari`ahs, hundreds of thousands are in the prisons of these apostate tyrants, while our land is now a playground for the Jews and Christians.

We bear witness to Allah I that we are enemies to these people and we witness their kufr and shall invite every sincere Muslim to remove them from power and to warn people against their evil. This is why Allah I says,

وقاتلوهم حتى لا تكون فتنة ويكون الدين كله لله

'And fight them until there is no more fitnah (shirk) and the religion in totality is for Allah' [313]

[312] ash-Shari`aht ul-Islamiyyah La alQawaanin ulWada`iyyah, p. 179-183
[313] Surat ulAnfaal, ayah 39, Surat ulBaqarah, ayah 193

Our da`awa to Muslims is reformative as well as informative, as the information has been given by the scholars. Our mission has less to do with INFORMING, than REFORMING. For Allah I will ask us what we did with our knowledge. This is the battle of Tawhid today, and we will not LEAVE it, EVER.

THE SCHOLARS THAT ARE SAYING WHAT THEY DO NOT PRACTICE

Dear brothers and sisters,

This section we narrate on behalf of the Islamic scholars who have suffered in the prisons and have been killed for the truth. But the government scholars that are in our midst today are mocking the truth by mouthing the same fataawa, but acting in another manner and re-explaining what the scholars of Ahl us-Sunna walJama`ah have said. Thus for each and every occasion, these scholars have a different tongue, thus they are double and triple tongued in the various languages of kufr.

In addition to these many tongues, the faces that they show the people are different. Some times, when they are ordered, they show the ruler the face of kufr and judge to him. When they are told to quiet the people, they show the masses the holy face of Islam, complete with tears streaming down the eyes and orchestrated wailing for the religion.

These scholars also narrate what Islam says, but they are supporting the enemy and contradicting Islam. What they say to a circle of believers is not the same as what they say to their kings and their jalabiyyah-wearing rulers. Thus Allah I has said,

ن امنـ وا قـ الوا امنـ ا و إذا خلـ وا إلـ ى شـ ياطينهم قـ الوا إنـ ا معكـ م إنمـ ا نحـ ن
مستهزءون الله يستهزئ بهم و يمدهم في طغيانهم يعمهون

"And when they meet those who believe, they say, 'We believe,' and when they are alone with their Shayaatin (Shaitans) they say, 'Truly, we are with you. We were only mocking.' Allah mocks at them and gives them increase in their transgressions and they wander around, completely astray."[314]

It is well known that many of our scholars will follow in the footsteps of the scholars of the Jews, so please, do not be surprised at their disgusting behaviour. Allah I has asked these regime employees,

أ فتؤمنون ببعض الكتاب و تكفرون ببعض فما جزاء من يفعل ذلك منكم إلا خزى في الحياة الدنيا و يوم القيامة يردون إلى أشد العذاب و ما الله بغافل عما تعملون أولئك الذين اشتروا الحياة الدنيا بالآخرة فلا يخفف عنهم العذاب ولا هم ينصرون

"Is it you believe in a part of the book and you disbelieve in another part? Then what is the reward for the one who does that except disgrace in this life and on the Day of Judgement? They will be subjected to a worse punishment and Allah is not unmindful of what you do. They are those who have purchased this life with the Hereafter. The punishment will not be lightened for them nor will they have any help."[315]

Allah I also said of these academics of the religion, who are employed in the scandalous trade of passing distorted fataawa,

أتأمرون الناس بالبر و تنسون أنفسكم و أنتم تتلون الكتاب أفلا تعقلون

[314] Surat ulBaqara, ayaat 14-15
[315] Surat ulBaqara, ayaat 85-86

"Is it you order people will righteousness and you yourselves forget to do it and you recite the Book? Will you not think and use your intellect?" [316]

This section was deemed important due to the fact that some of the scholars today are giving strange fataawa in one breath and matching Ahl us-Sunna walJama`ah in another. It may be that at one time these scholars were very good and filled with knowledge. And then, after a while, something very sinister happened. These sinister tactics and fataawa are what we aim to expose to the attention to the reader.

The late head of the Arabian Peninsula and Minister of Religious Education Shaikh `Abdul `Aziz ibn `Abdullah ibn Baz gave the following fatwa,

"The `ulama have already made ijmaa` on the fact that whoever claims that the legislation other than Allah is better than the legislation of Allah, or that a guidance other than the guidance of the Messenger of Allah is better than the guidance of the Messenger, then he is a kaafir. Just as the fact that they have made ijmaa` that whoever claims that it is permissible for one of mankind to go out of the Shari`ah of Muhammad ρ or judgement to other than it, then he is a kaafir and far astray.

"And we have mentioned that those who are calling to capitalism, communism or other than that from the destructive

[316] Surat ulBaqara, ayah 44. Although this ayah was originally revealed for the scholars of the Torah, we can see some of the characteristics in our Ummah today, and unfortunately, we can also see worse to come as bellies get more engorged with foods, government scholars receive more concubines and money flows more rapidly into off shore bank accounts of big belly shaikhs.

schools of thought that oppose Islam, are kuffar and astray and their kufr is worse than the Jews and the Christians." [317] [318]

Shaikh Ibn Baz continues on another subject,

"And whoever makes whatever Allah has forbidden allowable from those things which are known to be haraam to every Muslim, such as zina, alcohol and riba, or ruling by other than the Shari`ah of Allah, then he is a kaafir with the full consensus of the Muslims." [319] [320]

Read the statement of Shaikh Ibn Baz when he is asked about the rulers of today, who we KNOW have tampered with the Shari`ah and have legislated (and are still legislating) into the Shari`ah,

<u>Question:</u> (Interviewer)*"Some people are of the opinion that the corrupted and bad condition and state of the affairs for the Ummah can not possibly be changed except with raw power and revolt against the rulers. There are some that follow this methodology and tell others to go to it. What do you say about this?"*

---

[317] Majmu`a Fataawa wa Maqaalaati Matnu`a, V. 1, p. 274

[318] Apparently the Shaikh here must have forgotten the other fataawa that he made regarding the permissibility of the Jews and Christians to come into the Peninsula as well as all of the legislations to help the banks in the Peninsula, in addition to the setting up of parliaments and the like in the Peninsula. Obviously, these fataawa are not meant for the Sa`ud family, as we will see later.

[319] al `Aqidat us-Sahihatu wa Nawaaqiduha, p. 31

[320] What of all of the usury banks that are surrounding Makkah and Madinah, however, forcing people to pay usury to these banks and the legislation and weapons protect them. What of those kuffar who are in the Peninsula who now have the right to own land and exist in the Peninsula of Islam, even women without a male guardian according to the latest legislation.

<u>Answer:</u> (Ibn Baz)*"This thinking has NOTHING ESTABLISHED FROM IT in the Shari`ah, whereas what is in it is in direct contradiction to the clear texts of the Qur'an which ordered listening and obeying in the matters of ruling in what is right. The Messenger I has said,*

'Whoever sees something from his amir that is disobedience to Allah, then let him not obey what comes from disobedience to Allah. And let them not dispute one hand-span from obedience.'

He also said,

'It is upon the person to listen and obey whenever he likes to and whenever he dislikes to, in ease and in hardship in what is not being ordered to be disobedient to Allah.'

"The Sahaaba have already given bai`a to the Prophet on listening and obeying in right and wrong, hardship and ease, and that they don't dispute one hand-span from obedience unless they see clear kufr, in which they shall find a clear proof from Allah. And the ahaadith in this regard are many in number.

"And the judgement in like to this regard is obeying and cooperating with them (the rulers) on righteousness and piety and making du`aa for them in success and asking for the good until the evil decreases and the good increases. We ask Allah that He reform all of the Muslim rulers to that." [321] [322]

---

[321] Hukm us-Sulh Ma` alYahud fi Du'ii ish-Shari`aht ilIslaamiyyah p. 5-7

[322] How could we cooperate with tyrants in a peace process that is against the lives of our Muslims brothers? Furthermore, it is not possible for us to make du`aa for a ruler that is legislating, for that ruler has gone out of the religon of Islam. You can also see from the fatwa of this man that he is saying to obey the ruler that replaces the laws of the Shari`ah, which is against the verses of the Qur'an, the words of the Sunna, the ijmaa` of the Sahaaba τ and the

In another book, Shaikh Ibn Baz mentions the things that contradict Islam (cause one to become a kaafir) and when he reached the eighth thing, he said,

---

scholars. He is asking for Muslims to cooperate with these legislators of kufr. This cooperation has four points of major kufr,

a. This is the shirk of obedience which we have spoken of before, where Allah I said, ***'If you obey them, you are pagans,'*** Surat ulAn`aam, ayah 121 and in another place, ***'They took their priests and rabbis as Lords besides Allah,'*** Surat ut-Tawbah, ayah 31 by allowing and propagating the haraam amongst them and eliminating and destroying the halaal in society, through legislation. So how can Muslims obey them, when it is major shirk to do so?

b. This is a direct contradiction to the statement of the Messenger ρ, when he said, ***'Obedience is in righteousness.'*** How can Muslims obey a people who are bringing usury banks into the Peninsula and making laws to protect these institutions?

c. These rulers have nullified their contract with Allah I and they became, due to this act, the enemies of Allah I, due to their treachery. Obeying them would nullify our contract with Allah I, which is La ilaha illallah Muhammad ar-Rasulullah.

d. Cooperating with and obeying the kaafir rulers means that we would go against the Victorious Party (Mujaahidin) who are striving to remove them from power, as Allah I said and ordered. If we then cooperate against them with the rulers, then that means that we are helping non-Muslims to kill Muslims. This act alone takes one out of the fold of Islam, according to the fatwa that Ibn Baz wrote himself above about assisting kuffar against Muslims.

We can see from his fatwa that he is still calling those who rule and legislate Muslims, which is going against his own fatwa and the statements of Allah I, as well as the Sahaaba τ and the scholars, which proves that he is either insane or dishonest. The scholars that we mentioned before show us how we should deal with these types of people.

"Assisting, helping and supporting the mushrikun (pagans) against the Muslims." [323]

But let's take a look at a fatwa of his in the year 1990, when he sanctioned the entry of foreign (kuffar) troops in the Holy Land,

*"What resulted from the Saudi government is for reasons of these well played out developments against the oppression of the state of Iraq towards the state of Kuwait by **SEEKING HELP ALTOGETHER** from the **ARMIES** which are composed of a number of people from the **MUSLIMS** and **OTHER THAN THEM** (kuffar) for resistance against military aggression and defence of the lands (the Peninsula).*

"Thus that (the fatwa) is a permissible order, and on the contrary its' judgement is necessity, and it is a necessity on the

---

[323] Al `Aqidat us-Sahihatu wa Nawaaqiduhaa, p. 31. What of all of the Muslims who are being annihilated in `Iraq by the kuffar troops stationed in the Peninsula? The Muslims of `Iraq have been getting slaughtered for years and years and things have been quiet. And also, the helping of the kuffar by reducing the oil prices in the Muslim world and arresting Mujaahidin from Chechenya and Afghanistan to please the occupying forces in the Peninsula has been taking place frequently. On top of all of this, two years ago during the kaafir Christmas time, the Saudi crown prince, `Abdullah payed a visit to the Chinese and shook hands and signed a trade deal and arms pact with atheist.

In addition to this, they were also shaking hands with Khatami, and `Abdullah was quoted as saying, *'Iran and Saudi Arabia are dedicated to stopping Afghan terrorism and Khatami is our brother.'* In fact, dear brothers and sisters, when this statement is made by these scholars, we cannot help but remember the strong ayah of Surat ulBaqara ayah 85-86 where Allah I says**,** ***'Is it that you believe in some of the book and you disbelieve in some of the book?! And what is the reward of the one who does that except disgrace in this world and the Hereafter? They shall be subjected to the worst punishment and Allah is not unmindful of what you do. They are those who have purchased this life with the Hereafter. The punishment will not be lightened on them, nor will they have any help."***

Kingdom that it (the Kingdom) establish this compulsory act for the defence of the lands of Islam and the Muslims. The sanctity of the land and its' people is an imperative matter as well. On the contrary, it is absolutely necessary and an obligatory duty.

*"So it (the Kingdom) is excused and praiseworthy on its' sudden, spontaneous action towards this prudence and the avid desire for protection of the land and its' people from evil and defending it (the lands) from expected military aggression. It has already been established that the president of Iraq is not trusted by the common folk from the country of Kuwait. So treachery is to be expected from him. So because of this, the necessity was called to take precaution and help in a number of **FOREIGN ARMIES** for the protection of the land and its' people and in the avid desire for the safety and well being of the land and its' people from every thing.*

"And we ask Allah that He assist it (the action) and that He put it (the action) on every good and that He benefit the motives, make good the outcome, that He put to rest every evil and that He make the plan of the enemies of Allah go astray and that He purify the Muslims of their evil and He, Mighty and Majestic, is the best One to be responsible." [324] [325] [326]

---

[324] This fatwa is nothing but a piece of satanic paperwork that has been handed out to destroy the Ummah. This is known for the following reasons,

a. This fatwa, if you have noticed, did not include one single ayah from the Qur'an, for there is no single ayah to support it, as any ayah would be against it.

b. There was not one single hadith quoted to support it, due to the fact that all ahaadith are against it.

c. He did not have any evidence from scholars of the past, which he could mention to support his evil fatwa.

d. This fatwa is hindering and denying what the Messenger ρ said about expelling Jews and Christians from the Peninsula. This man is actually bringing them into the Peninsula and opposing the words of the Messenger ρ and Musims. This could only be a naked kufr and clear opposition to the statements of the Messenger ρ.

e. This shows that he is making halaal haraam and haraam halaal, and is even willing to go against the fatwa mentioned before this one. That fatwa stressed that it is major kufr to give even the slightest aid to kuffar against Muslims. Scholars of the Peninsula have never called Saddam a kaafir, and they even called him 'the Guardian of the Eastern Gate against the Shi`a.' Yet, they imported all of these kuffar troops from outside of the Peninsula to kill Saddam and the Iraqi people, and this is clear kufr, for Allah said,

"And if you give allegiance to them, then you are one of them," Surat ulMa'ida, ayah 51

f. We can also see his true evil, when he makes the kaafir armies appear as something mild, when he writes, 'foreign troops,' instead of saying kuffar. And he knows that these troops are nothing but armed Crusaders, full of homosexuals, who are rejoicing at their entry into the Peninsula. Inside of these armies are the Jews and Christians, who have built churches and synagogues in the Peninsula to comfort their soldiers, even though the Messenger ρ ordered their expulsion in very clear statements. This fatwa even goes against the clear verses of the Qur'an, which are also against their presence in the Peninsula. And to compound all of this, for the first time in 1400 years, the Jews have sounded the shofar (the ram's horn blown on religious ceremonies) inside of the Peninsula to celebrate their triumphant re-entry into the Peninsula since they were forced from the area of Khaibar, which they used to inhabit. Christians as well have been active, and have not ceased in propagating their evil on radio stations, which has led some sisters astray and caused them to apostate. There have also been some reports of young Muslim girls running away with these 'foreign' soldiers to Western countries to claim asylum. We have Shaikh Ibn Baz and the Senior Scholars of the Peninsula to thank for these achievements.

g. Ibn Baz has gone against another one of his famous fataawa where he stated that no Muslim is allowed to take help from a pagan to

Has it not been said by the Messenger ρ that those that do haraam in the holy land are cursed,

المدينة حرم فمن أحدث فيها حدثاً أو آوى محدثاً فعليه لعنة الله و الكلائكة و الناس أجمعين

"Madinah is sacred and holy, thus whoever innovates into it an innovation, or gives safety to an innovator, then upon him is the curse of Allah, the angels and all of mankind."[327]

Everyone can see these innovations of usury banks and their legislation, which is a serious innovation in the land of the Messenger of Allah ρ. And yet, the only thing the scholars of the

fight pagans, as the Messenger ρ ordered in authentic narrations. But look at what he turned around and did when he aided pagans in killing MUSLIMS using the Holy Land.

h. This fatwa is used to cast a spell over the reader, as the end is filled with supplications to Allah I. This is a clear trick of the magicians of the Pharaoh's court. Allah I has warned us not to clothe truth with falsehood. Yet this man has, and has tried to make the falsehood appear Islamic in nature, when it is antagonistic to Islam. For the sake of evidence, this fatwa will appear in the appendices in the back of the book in its' original Arabic form.

[325] alFiqhiyyat ulMa`aasira, No. 6, year 1990 regarding the Gulf Crisis

[326] Until now, children are still being killed in Iraq due to this fatwa. On top of that, Ibn Baz died unrepentant and without retracting a single part of this fatwa. He simply was not told by his master to do so.

[327] Related by Bukhaari and Muslim. We can see all of the innovation in Makkah and Madinah as well as the usury banks and the consulates for the kuffar being brought into the Holy Land. All of those are innovations and we don't know how the people are defending the ones who the Messenger cursed by revelation. Meanwhile, Muslims are not allowed to emigrate or go to a place that Allah I called a land of hijrah.

area spoke about was the shirk in grave worship and those who are not in authority on Earth.

Although we mentioned in the footnote that the fatwa above is a kufr, it doesn't mean that we have to call the man a kaafir. This is because calling a man a kaafir must be according to the rules of takfir (levelling the charge of takfir against a person) according to the ways and manners of Ahl us-Sunna.

Mostly, the personal matter of the person must also be included. But for the purpose of the research and for the benefit of Allah's Governance on Earth, we must speak about what is the kufr, what is imaan, even though we don't need to always go on and on about who is kaafir and who is not. We simply cannot follow a slip or mistake by any scholar, for the battle of tawhid is long and bloody. We have to learn how to defend ourselves when the scholars are used against Islam and Muslims, willingly or unwillingly. And may Allah I guide us to his straight path.

Unfortunately, we are saddened to report that these types of fataawa are not an exception. There is another scholar who has also made grave mistakes with regard to the issue of Haakimiyyah. The scholar second in authority only to Ibn Baz, Shaikh Muhammad ibn Saalih al`Uthaimin ordered,

"Whoever does not judge by what Allah sent down, making light of it, showing contempt to it, or having firm conviction that other than it is more just and honourable or more beneficial to the creation, then he is a kaafir of the kufr that causes one to leave the religion. As well as whoever is drawing up legislations for mankind that oppose the Shari`ah as a methodology and make people to follow it.

"And they did not concoct and fabricate those legislations opposing the Islamic Shari`ah except that they have firm

conviction that it is better and more beneficial for creation when it is well known from the human intellect and the natural mind of people that a human being does not abandon from one methodology to another except that he has firm conviction of the importance and priority of what he abandoned to go to over the lesser priority of what he left from." [328] [329]

Shaikh `Uthaimin also said on another occasion,

'If the scholar follows a ruler who doesn't rule by the Shari`ah, that scholar himself is a taghut.' [330]

But look at the next incident, where Ibn `Uthaimin actually orders us, against the words of his previous fataawa when he says,

"و إذا فرضنا على التقدير البعيد أنا ولي الأمر كافر فهل يعني ذلك أن نوغر الصدور الناس علي "

[328] Taken from Majmu`a Thaimin, V. 1, p. 41. In this statement here, `Uthaimin classifies those that are actually making Shari`ah the same as those that are thinking or saying that other than the Shari`ah is just. He said that they are kuffar. This makes sense, due to the fact that we can only go by actions and that people will only choose or do something over another if they prefer that particular thing. If someone is legislating, it is for no other reason but that they think something else is like or superior to the Shari`ah, otherwise he would not have LEGISLATED.

[329] Here, these are nice words, that match the methodology of Ahl us-Sunna walJama`ah, but is he fulfilling this fatwa, and does it match with his previous fataawa in this regard? No. This is due to the fact that the shirk in legislation is occuring in the Peninsula. He has on more than one occasion opposed the way of the Mujaahidin, who are making jihaad against those who legislate laws into the Shari`ah, and are trying to uphold and implement Shari`ah. He has actually given the upperhand to the kuffar that are fighting against the Muslims, which is a big haraam and a deadly sin according to the verses of the Qur'an, the ahaadith and the ijmaa` of the scholars.

[330] Tape 2 of Fiqh ul`Ibaadaat by Muhammad Saalih al`Uthaimin

"And if we suppose for the furthest probability that the ruler in charge is a kaafir, would that mean that we should provoke people against them?"[331] [332]

[331] Questions and answers with Shaikh Ibn `Uthaimin, issue 602, dated 02/04/1417 Hijri, alMuslimun newspaper. This fatwa actually goes against the Qur'an, the Sunna and the words of the Sahaaba τ, the scholars, as well as the common sense of human beings, not to mention what is commonly known among the people. This statement will be narrated in the appendix of this book in its' original Arabic as a benefit to the reader.

[332] We apologise that we wrote this statement in bold letters in a large font, as if it is holy. Infact, we just write it to show the gravity of support for the enemies of Islam, obviously and without any reservations. Wailing and crying about the dishonesty of these scholars should be the proper introduction to these types of statements due to the depressing and devastating things that they are saying. In this same section, you can see in the previous statements of the same person that he is identifying what kufr is. He doesn't leave a shred of doubt to identify kufr according to the opinion of Ahl us-Sunna walJama`ah. But in the latest statement, he shows the manners on how to deal with the kufr and those that are supervising it.

Regardless of the consequences of making halaal haraam or haraam halaal for them (the evil rulers) and dealing with them (these rulers of today) as a people in charge of a Muslim community, i.e. allowing them to marry Muslim women, punishing their opponents, including maiming and execution, honouring their treaties and taking their side all of the time, that can be kufr for those doing it, not only the person who is ruling the country. The kufr also includes those who are giving him the attributes and allegiance of a proper and legitimate ruler.

Perhaps the saddest thing of all is to learn when we compare the statements of these scholars with the ancient and modern scholars regarding the same issue, the trustworthy scholars of the past, after they identify the kufr, issued the proper orders and fataawa to remove it to the best of people's ability. With the scholars of our time, they keep the issue in the dark, and if they have to talk about it and expose it, they also recommend living with it and doing nothing about it. We can now understand why this type of kufr did not live long with our predecessors, and how it is growing stronger roots and branches in our time. It is due to the failure to identify it and the negligence

Putting the latest fatwa into practice, let us observe what has happened in Algeria. Although the leaders of Algeria are kuffar according to the statements of `Uthaimin, i.e. they changed the Shari`ah, the practice of the man actually calls for obedience to them.ie , the jihaad in Algeria needs brothers to work and strive for it. This assistance came, praise be to Allah through a group of brothers who are known as the Salafi Group for Fighting and Da`awa. And when these brothers stood up to fight in jihaad and implement the laws of truth in Algeria, Ibn `Uthaimin actually said to the amir of jihaad there,

"And already, Allah has caused many of our brothers in Algeria to hand over their weapons and cease the fitnah and due to their forbearance, the youth of Algeria have a lot of good now. And we hope in Allah I that you will be the amir like them very soon.

"The matters which are a difference among you, it is possible to forge the path of peace and understanding, and that you will, by the will of Allah, with sincere intention and dedication to the path, make amends and head to that (peace)." [333]

---

to deal with it. These people are not only failing the Ummah, but they are diminishing the right of Allah, Mighty and Majestic, which is to punish and remove these people from positions of power. This is an example of those eminent scholars who are proliferating and spreading the kufr about and using their pseudo-intelligence to woo the people over to their way of thinking.

[333] Taken from ash-Sharq alAwsat magazine, dated Rabi` alAwwal, 1421. Some people might say that this could be bad publicity to mar the reputation of this scholar. Some might even say that it is propaganda. However, those that think this are mistaken. The magazine that reported these words is a Saudi based and funded magazine, and is fully recognised by the government currently ruling the Arabian Peninsula. Thus, if such statements were unbefitting to the stature of `Uthaimin, the Saudi authority would have surely opposed such articles, or `Uthaimin himself would have done so. Ages after the fatwa, the man is still unrepentant. The result of such an appeal is more shirk in legislation in Algeria and even more evil in the land. We can see now

As we can see, these words will not result except in more kufr and more falsehood to spread over the Earth and for more grief and sadness for the Mujaahidin who are trying to change the sad reality and fulfil their obligation. And in all such cases, these scholars must be avoided at any cost for their opinions, for they are just using what they learned from the ancient scholars to benefit the existing apostate rulers.

And if we do have to ask them for something, we should treat our inquiry as if we are eating pork in the desert. In other words, this should be our last resort. We should never appeal to them about the issue of Haakimiyyah or jihaad, for these people are hired guns for the regime. One or two hot statements from these scholars will not divert the reality or change the phenomenon of the reality that they will support these rulers in their tyranny. To learn from the classical scholars directly from the books will sever the umbilical cord of kufr that these people have attached to the Muslim masses.

CONSEQUENCES OF NOT SAYING THE TRUTH REGARDING SHIRK AL-HAAKIMIYYAH

Perhaps one of the most serious consequences from scholars who are not saying the truth and standing firm against the enemies of the Shari`ah or those trying to tamper with it, is that

---

who the helpers of the evil are, and how people in high positions can oppose the ijmaa` of the scholars. The Arabic original of the statement will be printed in the appendix.

things will lead to compromises which are not acceptable in Tawhid.

It is also not acceptable in the fiqh of dominating and removing the fitnah and evil of satanic people. Some of these compromises, which we have already seen are allowing people to join the parliament knowing what it is, and what it does. We have also seen fatawaa legalising political parties and uprisings and sharing of power between Muslims and kuffar. Some fataawa are allowing kuffar to take key positions in the Islamic countries and there have been some fataawa forbidding the removal of these kuffar forces.

There are some rulings now even forbidding offensive jihaad or what is near to that. There are some people that are giving more authority to the New World Order presented by the United Nations more than to Islam. There are also some fataawa that are mentioning what is called 'state legislation.' All of these fataawa and compromises can only dilute, penetrate and sometimes remove the creed of a Muslim. It is a sign of the stripping of the religion. May Allah I help the scholars of Islam to stand firm for this religion and give them true Mujaahid students to carry on their jihaad as their scholars carried on the jihaad of the tongue. May Allah I also strengthen the Mujaahidin to not be discouraged or put off by all of this pressure.

Dear brothers and sisters,

You have been exposed to the words of the great scholars of the Ummah, past and present. However, there is one important difference to mention. And that is the fact that when the ancient scholars mentioned the shirk in legislation and identified it, they ended the fatwa with calling for jihaad against it. This was due to the fact that they lived under the umbrella of Shari`ah and were looking at the shirk from the outside of their parameters.

The majority of classical scholars of today however, have slightly different fataawa.

Although they label legislation by the rulers to be major shirk and whoever does it to be kaafir, the order doesn't end with them ordering the people to fight. This is due to the fact that they have been born and raised in this environment of shirk and they are in the enemy territory, thus they can only see from the inside. Most of them also don't order the people to fight, for they are either unable to or they are not able to fully diagnose the kufr in their midst. Thus as time goes on and the people don't fight the mushrik rulers, the shirk increases, and with that so does the oppression of the trustworthy scholars and their subsequent disappearance.

If we had wished, we could have certainly continued on with the quoting of the scholars of Ahl us-Sunna walJama`ah in proving the kufr and shirk of legislation as well as exposing the government scholars. However, for the sake of brevity, for the fact that we don't want to tarnish this book with the quotes of checkbook scholars and for the reason that we don't want to bore the reader, we will conclude this part of the research here. For if all of the statements of the Sahaaba τ, the past and present scholars isn't enough for our opponents and disputants after we gave all of the ayaat and the explanation with regard to legislating and judging, then we can only give these people the ayah that will explain their malady to them,

بل يريد كل امرء منهم أن يؤتى صحفاً منشرة

"On the contrary, every one of them wants that he should be given many pages spread out." [334]

[334] Surat ulMuddaththir, ayah 49-52

THE RULING REGARDING THE SCHOLARS THAT SUPPORT EVIL REGIMES

KIBAAR AL`ULAMAA (THE SENIOR SCHOLARS) AND THE MUFTIS (HEAD JUDGES OF THE SHARI`AH COURTS) WHO ARE SUPPORTING REGIMES THAT ARE ANTAGONISTIC TO THE SHARI`AH

Sadly enough, those who would use their knowledge to manipulate the Ummah and increase their own worldly gain are taking advantage of those among us who are less knowledgeable. These are the circumstances that we are living in right now. This is all of course in the absence of the Islamic Shari`ah. We are under the force and the heat of the laws of the kuffar and the blind support from the muftis and the Kibaar al`Ulama to the tyrants who are destroying Islam, internally and externally. But before we can reach the Shari`ah ruling on them, we have to take a closer look at the reality. [335]

1. What is the reality of these establishments?

[335] It is important to understand that just because someone is employed by a tyrant does not mean that he is a kaafir. But if a tyrant employs a group of people, and they are payed to pass fataawa for the regime, then they are a group of kufr. The mere employment under an apostate ruler does not automatically exclude one from Islam, though it is hazardous and dangerous.

These big muftis and establishments of scholars in these tyrannical regimes are the authorities who give fataawa (rulings) and legitimacy to these regimes to make laws and rules for the unlawful things proliferating in the Muslim lands. It also gives it a cloak of shar`ii (legislative) holiness, acceptance and also approves government policies to protect this haraam, deal with it and insert it into the lives of people everywhere to the wishes of the government on any scale, as if it is allowable in Islam.

The establishments also approve and agree with the government policies to punish, torture and silence anyone that refuses to accept these unlawful things as if he is the true ruler of the Muslims and those who oppose him are the Khawaarij. They are not admitting that he is the one abusing the Shari`ah. These muftis are the main source by which the government depends on in its' policies with the external world. They fabricate for them fataawa to legitimise and bless their loyalties to the enemies of Islam, whether these enemies are kuffar, hypocrites or fire worshippers.

The big Muftis bolster support for the wicked rulers if they need to bring kuffar to occupy Muslim lands, waste Muslim resources, copy the legislation of the invaders gradually or to stop Muslims from defending the brothers and sisters abroad and from enjoining the right and forbidding the wrong. More often than not, their fataawa are back-dated, due to the fact that the rulers act before they even ask them, then they tell them to legitimise their acts. These same 'senior `ulama' also issued the fatwa for allowing Muslim children to be killed by the hands of kuffar, in places such as `Iraq.

They even made it possible to have billions of the country's resources depleted on the kuffar and the kaafir establishments. It is a clear reality that these establishments, although they do

not have soldiers inside them, are a brick in the house of a taghut establishment and are purely tyrannical, in form and principle. It is nothing but the face of the taghut with a turban on its' head. As for the ambassadors of the taghut from these scholars that are in the masaajid, they are singing the melody of kufr, but with the rules of tajwid (the rules for proper recitation of the Qur'an), so that the ignorant might think that it is something from the Qur'an.

Therefore, these Kibaar al`Ulama and establishments are nothing but a gang of hoodlums, armed with ayaat from the Qur'an and words from the ahaadith. This is just like the army and the police who are armed with weapons. It is exactly like the army, in that it is a hired gang by the rulers. These laptop shaikhs and checkbook muftis follow the regimes with complete blind loyalty, eat because of the government and strengthen the illegitimate monsters that they gave their allegiance to in the first place. [336] Whether or not some of them

[336] Some will argue that the contract or allegiance between these establishments is different than those of the police or the army, who are also in contract with the ruler. This is true and it is untrue. It is true in the fact that the army and the scholars of these establishments support the ruler and do not allow the people to rise up and revolt against him. It is untrue in the sense that the scholars have more options than the military. In a way, the army and the police will give victory to the kaafir ruler in everything that he says and does and will follow him in all issues that he calls to in his ways. If they did not, this would be called mutiny, or a military coup. But this is not the case for the panel of scholars. It cannot support everything the ruler says, due to the fact that it must try to appear Islamic, in addition to the fact that some may actually disagree with a particular policy. It is therefore the case that sometimes it contradicts the statements of the rulers and government. But infact, there is no difference between the two groups in the work they do for the ruler or his regime, because the job of the panel of scholars is only,

1. To cloak the ruler in legitimacy to prohibit people from going against him, which implies helping him to kill his enemies under the name of Islam. This kind of action is in itself a kufr action, according to all of the verses of the Qur'an and the consensus of the

scholars. It also is one of the things that nullify Islam, which is to support pagans or apostates against Muslims.

2. We are not trying to prove that these scholars are worshipping the apostate tyrants, and following them in every action. For to prove this, that would mean that they have taken him as a lord besides Allah I, to obey him in ALL of his matters. This is not what is being spoken of in this exercise. We are only trying to prove that there is a certain type of kufr present, that kufr being supporting apostates against Muslims.

3. It is unanimous by the scholars that you don't have to be doing all types of kufr to become a kaafir, for one is enough. Thus to prove one kufr does not necessitate to prove all kufr. Proving one type of kufr, which is assisting and strengthening the kuffar, or apostates against Muslims, this is enough kufr.

4. Although the army and the scholars are both a group of kufr from the point of view of assisting kuffar against Muslims, but maybe some of them are doing more kufr than others, this is not our concern in this research.

5. Those who insist to see the contract and to study the contract that these scholars made with the tyrants are not thinking of the reality, for these are establishments made by the kaafir ruler to support himself and to bolster his forces. And also, it is meaningless to stick to the words, while the reality is different from the words, even if they had pledged to do things according to the Shari`ah. Even if this pledge existed plainly in front of our eyes, we can see that they are still violating Islamic principles and supporting this ruler in every war against his enemies, even if they are the most pious of all people.

6. We can observe that statements in a contract have no importance with us just by the titles that these scholars are giving the rulers. Sometimes the rulers are given titles such as, 'the Custodians of the Two Holy Places,' when they know that Allah I does not allow kuffar to be in control of the holy sanctuaries of Islam. Sometimes the ruler may be called 'the One in charge of all orders' or 'the leader of the believers.' This is a proof that these people have no respect for Islam, and they are willing to sell it to the enemies of

Islam. Whatever statements appear in the contract, they are merely just hollow in form and they are without any form or use.

7. It is common knowledge among the schools of thought that there are two types of contracts, 1) the religious contracts, which follow the absolute rule of Islam. 2) Then there are the contracts of transactions and worldly matters. These types of contracts follow the rulings of fiqh. The government scholars or the big groups of scholars who give fataawa, they can only follow contracts of absolute religiosity because they are a group. They could never be free agents as a group. This includes the support of the ruler against his enemies, defending him from overthrow and support of his allies against his enemies. However, if this is applied to a kaafir ruler, it is a contract of kufr. One way to make this more easily understood is to refer to the times of the Khalifa Ma'mun, who was an adherent to the Mu`tazila doctrine. Although he was not a kaafir ruler, the scholars around him can still be spoken of in relation to our topic. This was due to the scholars around him that were telling him these things. The scholars who were supporting this were a group of bid`ah, thus their contract was one of the first type, due to the fact that they were set up and given a panel for no other reason than to pass fataawa supporting the regime of Ma'mun. Another example would also be the set up of the Faatimi scholars in Egypt and throughout North Africa. These scholars and their panel were set up for no reason other than to pass fataawa for Shi`ism. Thus their contract falls under the first category. They are passing religious fataawa to satisfy the regime. The reason why this is so important is the origins of any group will tell you the methodology that it will adopt. For example, if a group of scholars were originally set up for the good of the Ummah and then gradually corrupted, generation after generation, until only evil scholars were left, this would be a different discussion. This is because the original contract was based on halaal resources and support of the Shari`ah.

But if an institution is set up to oppose the Shari`ah, or its' origins lie in the patronisation of a kaafir ruler, then its' methodology can be nothing other than kufr. Irrespective of whether there are good or bad scholars inside, the regime has set it up to assist it in establishing its' aims and its' objectives. So contradictory fataawa will be brushed aside, explained away or altogether ignored. This measure is to keep the majority of

chairs around the desk where the panel of scholars meet in full power. Those who question or collide with the authority are thus neutralised.

8. On the other hand, we cannot call every individual scholar a kaafir because the kaafir ruler employs him or her. This is because the contracts of individuals are worldly contracts, as we mentioned above. We say this due to the fact that in the times past, there were some scholars from Ahl us-Sunna who went into the Shi`a government of Morocco and tried to change the system from the inside. Once inside, they would curse the Shi`a belief, malign and belittle it and try to change the hearts of the people whilre trying to change the policies of the government through their individual contracts. This is different from an institution, because the ruler will ask institutions to issue fataawa for his troops on certain occasions. But he will not ask just one individual scholar to pass such a fatwa. When the Faatimiyyah ruled Egypt, the great hero of Islam, Salaah ud-Din alAyyubi was inside of the regime. His presence, however, did not change the condition. It was still a group of kufr. But his presence proves that not all who were inside of the regime were indeed kuffar.

A further historical account to explain the principle of contract two would be Abu Yusuf رحمه الله being appointed to the position of Qaadi in the time of Mansur. Mansur would not have anyone in power that could question his authority. This included even the scholars. Thus the council of scholars was set up for the support of no one but himself and his ways. But Abu Yusuf رحمه الله went inside, spoke the truth and would not depart from his stance. This is even though the panel he was on was set up based on the tyranny of Mansur. Abu Yusuf رحمه الله was not and could not be classed as a kaafir just for being in the group of kufr, due to the fact that his contract as a Qaadi to pass fataawa was not the same as the contract that the panel of scholars was originally set up on in the first place. The doings of those scholars and himself were different due to the type of contract that each was under. Abu Yusuf رحمه الله was a free agent, who came into the panel with the ability to express his views and give fataawa in certain matters.

The regime scholars were hired and put under contract for no other reason but to pass fataawa to keep the regime in place, so they were not free agents, rather hired employees for a predetermined position like

many trustworthy scholars today who have individual contracts, but still speak the truth. But they will never accept a job in these types of establishments that are solely for the government and its' scholars. Thus if they weren't there to fill the chair, or they failed to pass the 'appropriate' fataawa, they would be replaced for other scholars who would comply with the program that the panel was set up for in the beginning. These same scholars exist today and do the same evil, but there are opponents who resist their influence. Even today, in these large establishments, there are scholars that have shown that they believe in the truth and they have defended Islam and spoke out against oppression.

But we must make it clear. Although we admire their praiseworthy efforts, we still cannot support this risky behaviour, as it is hazardous and just as big a sin as entering the parliament. We made this footnote so long and included this evidence to do the following two things. The first thing is to disarm the machine gun takfir of the takfiri and Khawaarij people, who want to make takfir on anything moving. We need to show that inside of these groups of kufr, there may be sincere people and that not every person that does kufr is a kaafir. The second is to stop the ignorant people and the Murji'a from believing or concluding that there is no kufr at all present or that the people doing horrendously treasonous acts of terror against the Ummah are not blameworthy. So although there may be good hearted and well meaning people among the ranks of these government groups, the battle of Tawhid must not cease for anyone, and the strong believers must continue on in the cause of Allah I. And may He make Islam and Muslims victorious.

Some people will say, *'Why do you call them a group of kufr when others say that maybe they don't agree with you that the ruler is a kaafir.'* The answer for that is that the Qur'an, Sunna and behaviour of the Sahaaba τ due to the fact that very few people actually mean to do the major kufr. Most of the people of major kufr, they do actions of kufr, without intending to do major kufr, but some of these actions make them kuffar, even if they did not intend to do the kufr. Take for instance, those who were believers and went for jihaad and they started mocking the knowledgeable Sahaaba τ.

Allah I then revealed the ayah,

قل أ با لله و آياته و رسوله كنتم تستهزئون لا تعتذروا قد كفرتم بعد إيمانكم إن نعف عن طائفة منكم نعذبكم طائفة بأنهم كانوا مجرمون

have a lot of knowledge, plenty of dhikr (remembrance) and `ibaadah (worship), this does not change the judgement or the rule on them as a group. They are just like the army of the taghut in purpose. And in reality, they are the most dangerous group of kufr in the Taghut system.

2. *What is the ruling on them from the Shari`ah?*

After the reality, let us see what the Shari`ah mentions. The Shari`ah notes that the muftis are high-ranking members in society who make decisions and give orders to the people. This is precisely due to the fact that muftis are from the chiefs of the people, just like the chiefs of the people of the Pharaoh,

---

Say, 'Was it in Allah, His verses or His Messenger that you were mocking (istihzaa')? Make no excuse about it, you have disbelieved (become kuffar) after you had imaan (belief). If we pardon a group of you, surely we will punish a group from amongst you, for they were the criminals,' " Surat ut-Tawbah, ayah 65-66

Thus Allah I called them a group of kufr. Allah I also agreed with their statement that they did not intend to do kufr, although the action was intended. When he said, ***"Make no excuse about it. You have disbelieved (become kuffar) after your imaan (faith)."*** We should also remember that the apostates in the time of the Sahaaba τ thought they were very good Muslims and they could stop doing a small thing like paying the zakah (even though they knew it was compulsory). As soon as they formed a group and defended this lop-sided understanding with the sword, the Sahaaba τ referred to them as a group of kufr. It is not necessary that people have to know or admit that they are doing kufr for Ahl us-Sunna to call them a group of kufr. It is enough to identify the kufr that they are doing and to see that there is no proper interpretation of such an action from them for them to be called a group of kufr. For more information, please see Majmu`a Fataawa V. 7 by Shaikh ul Islam Ibn Taymiyyah رحمه الله .

قال الملأ من قوم فرعون إن هذا الساحر عليم يريد أن يخرجكم من أرضكم فماذا تأمرون

"The mala' (high ranking chiefs) of the people of Pharaoh said, 'This is a knowledgeable sorcerer! He seeks to turn you out from your land. So what is it that you order?' "[337]

Even though these people were the scholars and the high-ranking chiefs, Allah I gave the same verdict in this life and the Hereafter on them.

Allah I also says,

قالت يا أيها الملأ أفتوني في أمري

"She (Bilqis, Queen of Saba') said, 'O you Mala' (chiefs of people), give me fatwa (aftuni) in my matter' "[338]

This is clear evidence that the fataawa of the Muftis do have power.

The King of Egypt in the time of Yusuf said,

يا أيها الملأ أفتوني في رؤياي إن كنتم للرؤيا تعبرون

"O you chiefs of people, give me fatwa (aftuni) in my vision if you can interpret dreams."[339]

The scholars of corruption have said to their people,

و انطلق الملأ منهم أن امشوا و اصبروا على آلهتكم

---

[337] Surat ulA`araaf, ayah 109-110
[338] Surat un-Naml, ayah 32
[339] Surah Yusuf, ayah 43

"And the mala' (chiefs of people) from among them enjoined, 'Go and remain steadfast to your gods.' " [340]

Thus the muftis, by the definition of the Qur'an, are from the chiefs of people whether they like it or not. Regardless of their knowledge or individual goodness, if they are muftis for a kaafir or a tyrant who is antagonistic to the Shari`ah, it has drastic consequences in this life and the Hereafter.

We can understand this from what has been mentioned in the Qur'an, that the Muftis of back then have the like of the Kibaar al`Ulama' today and the Muftis on the panel of scholars. These are the same type of Muftis that have the power to order armies to move from an inactive state into an active aggressive stance. All of this can happen simply through a flick of their pen or through a spoken approval or even an unspoken silence given to the ruler who they advise. Whether they themselves do it or decisions are taken on their behalf and they agree to sign it into approval, the end result for the Ummah is the same. Any time a panel of scholars falls into this position with an apostate or a kaafir ruler, they then become a group of kufr. It is due to their alignment with these rulers that this consequence occurs, for Allah I has already warned,

يا ايها الذين أمنوا لا تتخذوا اليهود و النصارى أولياء بعضهم أولياء بعض و من يتولهم منكم فإنه منهم

"O you who believe! Do not take the Jews and Christians as friends. They are friends of one another. And whoever gives allegiance to you from among them, then he has become one of them." [341]

[340] Surah Saad, ayah 6
[341] Surat ulMa'ida, ayah 51

We have a strong commandment not to take the kuffar as friends and allies. But those scholars who support the kaafir or apostate ruler will be assisting in or taking some part in doing just that. This is why they then fall into a group of kufr.

It is of great warning and in the spirit of advice that we warn the Ummah against going to these panels for religious verdicts or calling on them for assistance in manners of loving and hating, allegiance and disloyalty, Islamic discipline and Shari`ah issues.

Those who would like to know more about the danger of the government scholars and the general threats and warning against falling into their evil, we offer the following selections of evidence.

Allah I warns humanity in general and the scholars in particular,

و لا تركوا إلى الذين ظلموا فتمسكم النار

"And don't yield to those who do oppression, so the fire might touch you."[342]

Allah I is again speaking to the scholars, the chiefs of the people, and is informing them of their fate as a consequence for the evil that they do,

إن الذين يكتمون ما أنزل الله من الكتاب و يشترون به ثمناً قليلاً أولئك ما يأكلون في بطونهم إلا النار و لا يكلمهم الله يوم القيامة و لا يزكيهم و لهم عذاب أليم

"Those who conceal what Allah sent down, they have purchased a miserable price. They swallow nothing into their

[342] Surah Hud, ayah 113

bellies but fire and on the Day of Resurrection; Allah will neither speak to them, nor purify them. And they have a harsh punishment." [343]

Allah I makes mention again of the regime scholars,

إن الذين يكتمون ما أنزلنا من البينات والهدى من بعد ما بيناه للناس في الكتاب أولئك يلعنهم الله و يلعنهم اللاعنون

"Those who conceal what we sent down, and the signs and guidance after we explained it clearly to people in the Book, they are cursed by Allah and those who want to curse them." [344]

Someone might say, *'But these great muftis and scholars are pronouncing the shahaada (testimony of faith), and some of them are the best among the believers.'* Let's look to what Allah I has to say in this regard,

و لو كانوا يؤمنون با لله و النبي و ما أنزل إليه ما اتخذوهم أولياء و لكن كثير منهم فاسقون

"And if they had believed in Allah, the Prophet and what had been sent down to him, they would have never taken them (kuffar) as allies but most of them are Faasiqun (rebellious sinners)." [345]

Allah I has made a strong parable in regards to the scholars, who don't benefit from their knowledge,

مثل الذين حملوا التوراة ثم لم يحملوها كمثل الحمار يحمل أسفار

---

[343] Surat ulBaqara, ayah 174
[344] Surat ulBaqara, ayah 159
[345] Surat ulMa'ida, ayah 81

"The likeness of those who were entrusted with the Torah but they did not carry it properly, are like the donkey, carrying books"[346]

There are many other ayaat that we could quote from to benefit the reader, but for the sake of brevity we will continue on in another area.

The Messenger ρ warned us of the evil scholars in many ahaadith, one of the most forgotten of them today being,

حَدَّثَنَا حَسَنٌ حَدَّثَنَا ابْنُ لَهِيعَةَ حَدَّثَنَا دَرَّاجٌ عَنْ عَبْدِ الرَّحْمَنِ بْنِ جُبَيْرٍ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِي قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ إِنَّ أَكْثَرَ مُنَافِقِي أُمَّتِي قُرَّاؤُهَا

It is narrated from Hasan τ from the narration of Ibn Lahya`a τ from the narration of Daraaj τ from `Abdur-Rahmaan ibn Jubair τ from `Abdullah ibn `Amr bin al`Aas τ that he (`Amr ibn al`Aas τ) said, *'I heard the Messenger of Allah ρ saying****, "Most of the hypocrites of my Ummah will be the scholars of the Qur'an.'"***[347]

Our Messenger ρ prophesied the rise of the government scholars in these ahaadith,

و ما ازداد أحد من السلطان دانوا إلا ازداد من الله بعداً

"And someone does not increase in his closeness to the ruler, except that he increases in his going further from Allah."[348]

---

[346] Surat ulJumu`ah, ayah 5

[347] Musnad Ahmad, ahaadith 6509, 6510, 6513, 16892, 16934 and 16935 and graded as sahih.

[348] Taken from Abu Dawud, Ahmad and related by Abu Huraira with a sahih chain of narration.

أن اناساً من أمتي يقرؤون القرآن و يتعمقون في الدين يأتيهم الشيطان يقول: لو أتيتم الملوك فأصبتم من دنياهم و اعتزلتموهم بدينكم ألا و لا يكون ذلك كما لا يجتنى من القتاد إلا الشوك كذلك لا يجتنى من قربهم إلا الخطايا

The Prophet ρ warns us in another hadith,

"There will be people after me those who will recite the Qur'an and they will immerse themselves and go deep into the religion. The Shaitan will come to them and say, 'If only you would go to the kings and benefit from a part of their dunya and stay separate with your religion.'[349] But that will not be the case; just as nothing is harvested from the thorny bush except thorns. Likewise, nothing is to be gained from nearness to them (rulers) except sins."

In another relation, instead of the Shaitan telling them, the government scholars are saying, *"If only we would come to the rulers and benefit from their wealth and stay separate with our religion."*[350]

The Messenger of Allah ρ gave us a most severe warning in the following hadith,

سيكون بعدي أمراء فمن دخل عليهم فصدقهم بكذبهم و أعانهم على ظلمهم فليس مني و لست منه و ليس بوارد على الحوض و من لم يدخل عليهم و لم يعنهم على ظلمهم و لم يصدقهم بكذبهم فهو مني و أنا منه و هو وارد على الحوض

---

[349] This statement should be a warning. It mentions in the hadith, ***'your religion.'*** It doesn't say, ***'with the religion.'*** This is due to the fact that the rulers being referred to are not from Islam. This is why the rulers aren't grouped with the scholars as being from the same religion. Thus the scholars that are going to them are to be a group of kufr of their treachery.

[350] Taken from Ma Dha'iban Ja`ii'an, p. 49

"There will be after me rulers[351]***, so whoever enters into their presence and agrees with them in their falsehood and denial of the truth, and helps them with their oppression, then he is not from me and I am not from him. He will not come to me at the pond (the pond of salvation of the Day of Judgement). "And whoever does not enter into their presence and he doesn't agree with them in their falsehood and denial of the truth and he doesn't help them in their oppression, then he is from me and I am from him. And he will come to me at the pond."***[352]

من سئل عن علم فكتمه ألجمه الله يوم القيامة بلجام من نار

The Prophet ρ said further, ***"Whoever was asked regarding his knowledge and he concealed it, Allah will bridle him on the Day of Judgement with a bridle made of Fire."***[353]

Both Sufyaan ath-Thawri and `Abdullah ibn Mubaarak رحمهما الله, the famous tabi`iis (students of the Sahaaba) had this to say,

"Whenever you see an `aalim entering into the presence of the rulers, then know that he is a ***thief!"***[354]

Therefore the judgement and the rule with these establishments of `ulama all over the Muslim land ruled by man-made law takes the same rule as that of the ruler, its' group and its' army

[351] This is a very strong statement from the Prophet ρ that is overlooked by many. In the hadith, he used the word, 'umaraa' (rulers), which means that the khilaafa system would at some stage be demolished.
[352] Taken from Ahmad, an-Nisaa'ii, at-Tirmidhi, Ibn Hibbaan, alKhaatibi, Tabaraani, alBaihaqi and classified as sahih.

[353] Sunan Abu Dawud, hadith 3658
[354] alKhutut al`Aridah, p. 27 and Ma Dhabi`an Jaa`i an, p. 14-20

as well.[355] Just as the army is fighting for the throne and to protect the fabricated legislation, these scholars in their

[355] This, however, does not mean that we always follow the same methodology with regard to the scholars that we do with the rulers (in example fighting all of them, taking their booty and killing them, all though some scholars will argue that they deserve punishment). What we mean by that the scholars take the same rule as the ruler and the army is that the scholars in purpose are just like the army. They are armed with weapons and they use them against the Muslims. Those weapons are the verses of the Qur'an and the ahaadith in the Sunna. Thus we should also fight them with the same weapons, and expose the Ummah to the burhaan (evident and bold truth established with proof) regarding these scholars and fight the regime `ulama' with the tools they use. This is why Allah I said of the Messenger,

يا ايها النبي جاهد الكفار والمنافقين

"O Prophet, make jihaad against the kuffar and the hypocrites," Surat ut-Tawbah, ayah 72.

This is proof that we can fight these `ulama' with the burhaan. And in all the Books of tafsir, it mentions regarding this verse that the jihaad against the hypocrites is with the burhaan. Also, there is strength in their tongues and they are replaceable by the ruler if they get killed, unlike the army. We have to concentrate on exposing them and making it clear to the people that they should be afraid to listen to statements from them or take jobs from them. Now when we fight the armies of these regimes, again we use the same tools that they use, those being rifles, knives, sticks and the like. Thus the purpose of the army and the scholar establishments are the same. Another reason why we should not be so quick to just go and kill the `ulama' is that many of them are feeble in mind and body, thus the people take pity upon them.

It is not from the etiquettes of Ahl us-Sunna walJama`ah for someone to say that, *'Well, so and so didn't say that the rulers of here or there are kuffar, therefore, they aren't kuffar.'* We don't use the evidence of a person to demolish or remove the evidence of the Book and the Sunna that is clear. The evidence stands on its' own, irrespective of who supports it. We do not leave that which is evidence in and of itself to the evidence of a person's, which needs to be established anyway.

establishment are defending the throne and its' policies. The evil scholars do their best to cover up for the regime because they know very well that the government scholars take the same judgement as the head of the government. The sin of the ruler is also the sin of the scholar and in most cases, the sin of the scholar is even worse. This is why Allah called rulers who are not ruling by his law tawaaghit (false legislators), pharaohs, kuffar, oppressors and rebellious sinners.

But when He I made mention of the evil scholars, purchasing a miserable price for His signs, He called them dogs, donkeys, cursed, animals, magicians and other derogatory terms to warn people of the great danger that is in these groups. This was also to alert people to judge them according to the evidence and the reality in which they are replacing with it and justifying it. These hurtful titles, which Allah I gave them to degrade them, are the recommended godly and wise ways to deal with them. It is basically because Allah I knows that there is reverence and respect of knowledge added to the beauty of the speech.

The apparent `ibaadah will also deceive most people in deciphering the reality of these scholars. You will find many of these evil scholars doing a lot of this apparent `ibaadah and sadly enough, you will also find that some ignorant people will prefer the sayings and the actions of these scholars to what is apparent in the Qur'an, the Sunna, the rulings and the methodology of the righteous people. He (Allah I) therefore

---

Another issue is that to kill them (the scholars) in most cases would immortalise them in the hearts of people. However, to fight these militaries which the people know of in oppression is to do the people a favour. This is truly the godly way to deal with this situation. So the plumber and the carpenter must show up for work with the right tools in their tool box, so the Muslim must also have the right tools in his box for each occasion and situation that may arise. And Allah knows best.

ordered that they be humiliated, so that they may be separated from the true people of knowledge and action when He said,

و من يعص الله و رسوله و يتعد حدوده يدخله ناراً خالداً فيها و له عذاب مهين

"And whoever disobeys Allah and His Messenger and he exceeds his boundaries, He will cause him to enter the fire, abiding in it with a humiliating, degrading torment." [356]

Therefore, degradation and humiliation are always accompanied with exceeding the boundaries with Allah I. To go a step further, to prefer the person to the text of the Qur'an is the most obvious sign of exceeding the boundaries.

It is then truly a group of kufr, this Kibaar al`Ulama and its' like. But this is again without calling each and every one of them a kaafir. We hold this reservation because some of them have ta'wil (interpretation), others are jaahil (extremely ignorant) of the essentials of tawhid, a group of them are to some extent senile and many of them are fussaaq (rebellious sinners) that just want to make benefit, no matter what the price. And there is still another group that has entered these establishments, in an attempt to try to reform by speaking the truth. Although we might make du`aa (supplication) for them to repent and not to die in this occupation, and suffer humiliation in the Hereafter, we still must judge the apparent action.

This, of course, will involve us exposing their trickery, imposture and will also require us to be stern when we talk to them, due to their doing bid`ah in the religion of Allah I. They have been floppy and soggy in their behaviour with the religion and they have been prostituting themselves to the Taghut (false legislator). This is despite what they see of the excessive

[356] Surat un-Nisaa', ayah 14

allowable haraam being legislated in the rivers of the blood of the Muslims being spilled right in the front of their sinning and blunt eyes. Jihaad against the mischief-makers shall not be delayed because of them and their big turbans or the rulers with their big bellies. If the tyrants use them as a shield, then they (the regime scholars) could be caught in the crossfire if the ruler is targeted and the scholars block the path. Those who issue fataawa against the Mujaahidin or for the jihaad to be delayed should also be degraded, exposed and harshly dealt with as individuals until their evil of slowing the establishment of the Shari`ah, their support of kaafir regimes and their wickedness is removed completely.

We sincerely advise all of the trustworthy scholars that they stay clear from these evil institutions and establishments. And when they speak, we hope in Allah that they speak from a neutral platform and avoid being trapped in the crossfire between the supporters of the Shari`ah (Mujaahidin) and the distorters of the Shari`ah (the rulers and their helpers), whom Shaikh ul-Islam Ibn Taymiyyah رحمه الله mentioned when he said,

"Whenever the `aalim follows the judgement of the ruler, and leaves off his knowledge, in contradiction to the Book of Allah and the Sunna of His Messenger, he is a kaafir (an unbeliever) and a murtadd (an apostate), who deserves to be punished in this life and the Hereafter. This rule can also be applied with regard to the group of scholars who jumped and joined the Mongols due to ***fear of them*** *and that they wanted* ***to take benefit*** *from them. These scholars made the excuse that some of the Mongols were speaking the Shahaada (testimony of faith) and that they were Muslims."* [357] [358]

[357] It is as if he is describing our situation today to the letter.
[358] Majmu`a Fataawa, V. 35, page 373

From this fatwa we should like to let our knowledgeable ones know that the truth can be a double-edged sword, and that the believers should not cut their own hands in the process of wielding that sword. We do not appreciate any disrespect or encourage any childish allegations against individual scholars as we are simply trying to analyse a problem that is retarding the Ummah from progress. We want nothing more than the safety and general well being of our Ummah, locally and globally and the belief and methodology of reviving them from their slumber preserved.

DEFINITION OF AN `AALIM AND THE EVIDENCE THAT THE EVIL SCHOLARS ARE HUMILIATED

Most of the scholars of Islam define the `aalim as the person that fears Allah I. But this type of fear is a fear that results from pure knowledge, such as the fear of Jibril υ that the Messenger ρ witnessed upon seeing Jibril υ when he ascended to heaven nearing the tree of the outermost boundary (Sidrat ul-Muntaha). Upon reaching this level, the Messenger ρ exclaimed, ***"I passed the inhabitants on the day that I was ascended and Jibril was like an old cloth which was in the entrance of a house from the fear of Allah."***[359] This hadith is precisely why some scholars of Islam have said, *"Knowledge of the religion is fear of Allah."* Allah I has spoken of this matter by saying,

إنما يخشى الله من عباده العلماؤا

"It is only those who are the `ulama (scholars) among His slaves that fear Him."[360]

`Umar ibn Al-Khattab τ and other Sahaaba ψ, whenever they were told to fear Allah I, they would reflect that statement in their action. But there are two types of true fear of Allah I.

1. **STATIC FEAR.** This is the kind of fear which will hold the person and cause him to let go of his own right for the sake of Allah I, the da`awa (call) to the religion of Allah I and the religion of Allah I to flourish and proceed without regard for his own money, position and sometimes even dignity. This is why Allah I has said,

[359] This hadith is narrated by at-Tabaraani on the authority of Jaabir ibn `Abdullah τ.

[360] Surah Faatir, ayah 28

و يحبونه أذلة على المؤمنين أعزة على الكافرين يجاهدون في سبيل الله و لا يخافون لومة لائم

"And they are humble with love towards the believers and stern in might against the kuffar (unbelievers) and they do not fear the blame of the blamers." [361]

And when people rush for dunya they will stay back, as Allah I has said of them,

و عباد الرحمن الذين يمشون على الأرض هوناً و إذا خاطبهم الجاهلون قالوا سلاماً

"And the slaves of ar-Rahmaan (the Most Merciful) are those who go about on the Earth in humility and when the Jaahilun (foolish and extremely ignorant people) address them, they say, 'salaam (peace).' " [362]

2. **THE DYNAMIC FEAR.** This fear is the result of the highest form of action, once the god-fearing person sees that the right of Allah I is being violated and the people of Allah are being oppressed, or the enemies of Allah I are approaching. The fear of Allah I becomes dynamic and the static fear of self-denial becomes continual, to sacrifice anything to protect Islam, Muslims and the sanctity of Islam. These two types of examples can be applied to the Prophet I, the Sahaaba ψ and the angels and you will find that they did very well as they denied themselves and didn't make much noise about their own gains and such. You see them crying and praying, giving to others and sometimes getting nothing back. But when the religion of Allah I is oppressed, the rights of Allah I are violated or some of the obligations are

[361] Surat ulMa'ida, ayah 54
[362] Surat ulFurqaan, ayah 63

hidden, they become wild lions and they never rest until every thing is restored and every tyranny and tyrant is disabled, often punished and removed.

It is not hard to understand what type of fear is missing today, as it is both of them that are absent. Both of these Sunni ways of fearing Allah I have been replaced by an unreal and mocking fear of Allah I, which is what they are doing. This includes things such as gaining dunya through knowledge, having a lax attitude towards the violation of the religion of Allah I, hiding behind a screen of fears and tears for Allah I and deliberately ignoring central issues, which are destroying Islam and weakening Muslims. The accumulation of this methodology has resulted in a systematic destruction of our Ummah, resources and our religion.

Shaikh ul-Islam Ibn Taymiyyah رحمه الله has said, *"There are four types of `ulama (plural of `aalim),*

1. *An `aalim who knows about Allah I and knows about the Shari`ah laws of Allah I.* [363] *Those are the best type of `Ulama.*

2. *An `aalim who knows about Allah I and he does not know about the Shari`ah of Allah I.* [364]

---

[363] This is someone that knows the plans, Sunnah and trust of Allah I in addition to having knowledge of the names and attributes of Allah. This is knowledge that will restrain him from innovating into the religion of Allah I and causes him to be vigilant to fulfil his duty in front of Allah I. The knowledge that he has of the Shari`ah is self-explanatory.

[364] These are people who have the knowledge and the benefits of Tawhid. It is not necessary that they know about the Shari`ah, but they will ask and not invent, because they are protected by the knowledge and the benefits of

3. *An `aalim who doesn't know about Allah I but he knows about the Shari`ah of Allah I.*[365]

4. *An `aalim who doesn't know about Allah I or the Shari`ah of Allah I.*[366]

As believers, we should take care and consideration when looking at the following statements,

---

tawhid. When they don't know, they will try to know by asking the people of knowledge.

[365]These are the wretched government scholars of all times. These are people who study for position and for earthly matters. They also act accordingly in this regard with all their strength against the truth. The main feature and criterion for this people is you will find them very close to the governments and its' sweets in the times of fitnah when the trustworthy scholars disappear and are harassed. But they will be safe and be doing well, earning from the verses of Allah I and His Prophet ρ. However, weeping, crying and wearing the sunna clothes will not trick others. This is a part of the episode, working clothes and atmosphere around the government scholar. Some of them trick people to the point where they even trick themselves that they are guided and that they couldn't do better.

'Near to the rulers, safe from the rulers and earning from the rulers' is the motto of this group, whenever the Shari`ah is incomplete and not being enforced. We also find them arguing on behalf of the rulers. They are the worst of creatures anyway. The judgement on them is the same as that of the rulers. If the ruler is a kaafir, they become a group of kufr. If the ruler is a zaalim, they become a group of zulm (oppression) [to give one of them the title of kufr, it follows the same regulations of those before. It then requires careful consideration before arriving at a conclusion. But it is safer to just label them a group of kufr because they have to be removed anyway so that Allah may deal with them].

[366] These are the army of scholars who don't have fear, knowledge and they also get row knowledge about the Shari`ah which is incomplete, so they can quickly jump and earn some money by using the religion on the shoulders of young recruits. These recruits come from pathetic universities that are loyal to the government, thus the recruits become loyal to the government. Number three and four of the scholars really shouldn't be called scholars at all, rather they are just 'religious men,' or to put it bluntly, 'academics.'

حَدَّثَنَا مُوسَى بْنُ دَاوُدَ أَخْبَرَنَا ابْنُ لَهِيعَةُ عَنِ ابْنِ هُبَيْرَةَ عَنْ أَبِي تَمِيمٍ الْجَيْشَانِيِّ قَالَ سَمِعْتُ أَبَا ذَرٍّ يَقُولُ كُنْتُ مُخَاصِرَ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَوْمًا إِلَى مَنْزِلِهِ فَسَمِعْتُهُ يَقُولُ غَيْرُ الدَّجَّالِ أَخْوَفُ عَلَى أُمَّتِي مِنْ الدَّجَّالِ فَلَمَّا خَشِيتُ أَنْ يَدْخُلَ قُلْتُ يَا رَسُولَ اللَّهِ أَيُّ شَيْءٍ أَخْوَفُ عَلَى أُمَّتِكَ مِنْ الدَّجَّالِ قَالَ الْأَئِمَّةَ الْمُضِلِّينَ

Abu Dhar said, *"I was in the presence of the Prophet ρ one day and I heard him saying,* ***'There is something more I fear for my Ummah than the Dajjaal.'*** *It was then that I became afraid, so I said, 'O Messenger of Allah! Which thing is it that you fear for your Ummah more than the Dajjaal?' He [the Prophet ρ] said,* ***'Misguided and astray scholars.'***[367]

حَدَّثَنَا عَبْدُ الرَّحْمَنِ حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ عَنْ أَيُّوبَ عَنْ أَبِي قِلَابَةَ عَنْ أَبِي أَسْمَاءَ عَنْ ثَوْبَانَ قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ إِنَّمَا أَخَافُ عَلَى أُمَّتِي الْأَئِمَّةَ الْمُضِلِّين

قَالَ وَقَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ وَإِنِّي لَا أَخَافُ عَلَى أُمَّتِي إِلَّا الْأَئِمَّةَ الْمُضِلِّينَ فَإِذَا وُضِعَ السَّيْفُ فِي أُمَّتِي لَمْ يُرْفَعْ عَنْهُمْ إِلَى يَوْمِ الْقِيَامَةِ

It is related by Shidaad ibn Aws τ that the Prophet ρ said,
"Truly, I do not fear anything for my Ummah except astray scholars. Thus when the sword is raised against my Ummah, it will not be lifted until the Day of Judgement."[368]

Now that we have looked at the primary evidence, we have to ask, what do the scholars of Islam say about the behaviour of such scholars? We will now call to the stand our first witness,

Al-Muhaddith, al-Faqih, **Shaikh ul-Islam in his time,** Shaikh Ibn Hajar al`Asqalaani رحمه الله had this to say,

---

[367] Musnad Ahmad, hadith 20335

[368] Musnad of Ahmad, ahaadith 16493, 21360, 31359, 20334 and ad-Daarimi, ahaadith 211 and 216 and all of these collections are classed as authentic.

"It is not permissible to believe that the scholars are better from Madinah (rather) than other places, except in the time of the Messenger ρ and those who came after them (Khulafaa') before the Sahaaba dispersed and went to different cities. This is because after the time of the Mujtahidin Imaams it was not narrated that one `aalim from Madinah was better than another `aalim from the other countries.

Instead those who have inhabited (Madinah) are from the most bid`ii way." [369]

The great scholar of Islam, al`Allamah Shaikh Haafiz al-Hakami [370] رحمه الله made these remarks,

"Whoever denounces the ijmaa` of the `Ulama by denying the fard or imposes whatever Allah did not impose or makes Halaal Haraam or Haraam Halaal, some of these people are deliberately damaging Islam. These kinds of people are kuffar without any doubt. These kinds of people are not actually from the religion. They are the greatest enemies to Islam. Some of the people (lay man) are tricked, but they (those who have denied a fard) can be called kuffar once the evidence has been established against them." [371] [372]

---

[369] Fath ulBari, Bab Itesam us Sunnah vol 13, page312

[370] 1342-1377 AH. Shaikh al-Hakami is the author of the work, Ma`aarij ulQabul.

[371] Ma`aaraj ul-Qabul Bab-al-Bid`ahh Mukaffirah vol 3, p. 1228.

[372] Why do the followers of those who call themselves salafis not fight this bid`ah and call others innovators? Is not al-Hakami one of their great scholars? On the contrary, they call whoever is following the Imaam and fighting this bid`ah an innovator!

Let us gain from the words of the great Spanish Maaliki Imaam of years ago, al `Allamah, al-Muhaddith, al-Faqih, Shaikh Abu `Abdullah Muhammad al-Qurtubi رحمه الله,

"The `Ulama have said, 'One who is an Imaam for an oppressive ruler, prayer is not to be made behind him unless he reveals his excuse or reason why (he is an imaam for the oppressive ruler) or he repents from it (being an imaam for an oppressive ruler).'" [373]

If this is just the oppressive ruler, how much more serious is it for the ruler that is a kaafir or an apostate?

Shaikh ul-Islam Ibn Taymiyyah رحمه الله roars from the pages of his fataawa yet again,

"Whenever the `aalim follows the hukm (legislation) of the ruler, and leaves off his knowledge, in contradiction to the book of Allah and the Sunna of His Messenger, he is a kaafir (an unbeliever) and a murtadd (an apostate), who deserves to be punished in this life and the hereafter. This rule can also be applied with regard to the group of scholars who jumped and joined the Mongols due to fear of them and that they wanted to take benefit from them. These scholars made the excuse that some of the Mongols were speaking the Shahaada and that they were Muslims. Allah I has said, [374] [375]

ألمص كتاب أنزل إليك فلا يكن في صدرك حرج منه لتنذر به و ذكرى للمؤمنين . اتبعوا ما أنزل إليكم من ربكم و لا تتبعوا من دونه أولياء قليلاً ما تذكرون

[373] Jaami` ulAhkaam ulFiqhiyyah, V. 2, page 227
[374] It is as if he is describing our situation today to the letter.
[375] Majmu`a Fataawa, V. 35, page 373

'Alif Laam Mim Saad. A Book sent down to you, so do not have any worry in your breast from it, so that you may warn and be a reminder to the believers. Follow what has been sent down to you from your Lord and do not follow protectors and helpers besides Him. Little is it that you remember!' [376]

"And even if this `aalim is captured, put behind bars and tortured to leave what Allah I has taught him from His Book, he should be patient with that. If he leaves all that and follows the ruler, then he is one of the people that are supposed to be doomed by Allah Y. He should be patient even if he is harmed in the cause of Allah Y. This is the Sunna that Allah I has wanted and accepted from the Prophets and from the people who follow the Prophets. Allah says,

ألم أحسب الناس أن يتركوا أن يقولوا آمنا و هم لا يفتنون و لقد فتنا الذين من قبلهم
فليعلمن الله الذين صدقوا و ليعلمن الكاذبين

'Alif Laam Mim. Do people think that they will be left alone because they say, 'We believe,' and will not be tested? And We indeed tested those who were before them. Allah will certainly make it known those who are true and will certainly make it known those who are liars. And He (Allah I) will make it known who the liars are.' [377] [378]

Al `Allamah, the Great Qaadi of Egypt, Ahmad Muhammad Shaakir رحمه الله, commented in the following manner,

"No, Islam is not what they think. Islam is religion, politics, legislation and ruling. Islam is power. Islam does not accept, except that the whole of it is followed and all its laws are abided by. And those that refuse ***some*** *of its Hukm (legislation), they*

[376] Surat ulA`araaf, ayaat 1-3
[377] Surat ul`Ankabut, ayaat 1-3
[378] Majmu`a Fataawa vol 35. Page 373

*have refused it **all.** And for those who leave **some** of it, they have left it **all.** And those that refuse to accept **some** of its rules they have refused it **all.** Listen to the words of Allah I,*

و ما كان لمؤمن و لا مؤمنة إذا قضى الله و رسوله أمر أن يكون لهم الخيرة من أمرهم و من يعص الله و رسوله فقد ضل ضلالاً مبيناً

'And it is not for a believing man or woman, when Allah and His Messenger have judged a matter that they should have any alternative regarding their decision. And whoever disobeys Allah and His Messenger, then he has gone far, far astray in clear misguidance.'[379]

و يقولون آمنا با لله و بالرسول و أطعنا ثم يتولى فريق منهم من بعد ذلك و ما أولئك بالمؤمنين. و إذا دعوا إلى الله و رسوله ليحكم بينهم إذا فريق منهم معرضون. و إن يكن لهم الحق يأتوا إليه مذعنين . أفي قلوبهم مرض أم ارتابوا أم يخافون أن يحيف الله عليهم و رسوله بل أولئك هم الظالمون. إنما كان قول المؤمنين إذ دعوا الله و رسوله ليحكم بينهم أن يقولوا سمعنا و أطعنا و أولئك هم المفلحون

'They say, 'We have believed in Allah and His Messenger and we obey,' then a group of them turn away after that. And they are not believers. And when they are called to Allah and His Messenger to judge between them, a group of them turn away in complete refusal.

'And if they have the right in a matter, they come to him willingly, submissive and servile. Is there a disease in their hearts? Or do they have doubt or fear that Allah and His Messenger would do wrong to them? On the contrary, they are oppressors. The only words of the believers when they are called to Allah and His Messenger to judge between them is

[379] Surat ulAhzaab, ayah 36

that they say, 'We hear and we obey.' And they are the successful ones.'[380]

يا ايها الذين آمنوا أطيعوا الله و أطيعوا الرسول و أولى الأمر منكم فإن تنازعتم في شيء فردوا إلى الله و الرسول إن كنتم تؤمنون با لله و اليوم الآخر ذلك خير و أحسن تأويلاً ألم تر إلى الذين يزعمون أنهم آمنوا بما أنزل إليك و ما أنزل من قبلك يريدون أن يتحاكموا إلى الطاغوت و قد أمروا أن يكفروا به و يريد الشيطان أن يضلهم ضلالاً بعيداً. و إذا قيل لهم تعالوا إلى ما أنزل الله و إلى الرسول رأيت المنافقين يصدون عنك صدوداً . فكيف إذا أصابتهم مصيبة بما قدمت أيديهم ثم جاؤوك يحلفون با لله إن أردنا إلا إحساناً و توفيقاً. أولئك الذين يعلم الله ما في قلوبهم فأعرض عنهم و عظهم و قل لهم في أنفسهم قولاً بليغاً. و ما أرسلنا من رسول إلا ليطاع بإذن الله و لو أنهم إذ ظلموا أنفسهم جاؤوك فاستغفروا الله و استغفر لهم الرسول لوجدوا الله تواباً رحيماً. فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم ثم لا يجدوا في أنفسهم حرجاً مما قضيت و يسلموا تسليماً

'O you who believe! Obey Allah, Obey the Messenger and those in authority among you. Then if you dispute in something, return it back to Allah and His Messenger, if you believe in Allah and the Hereafter. That is good and the best interpretation. Have you not seen those who claim that they believe in what was sent down to you and what was sent down before you?

'They seek that they make judgement to the Taghut (false legislator) and they were already ordered to disbelieve in it. And Shaitan seeks to lead them far, far astray. And when it is said to them, 'Come to what Allah sent down and to the Messenger,' you see the hypocrites turn away with strong dislike and aversion. How is it then, when a catastrophe comes over them due to what their hands have done, they come to you, taking oath by Allah, 'We didn't seek anything except good piety and success through conciliation.'

---

[380] Surat un-Nur, ayaat 47-51

'They are those whom Allah knows what is in their hearts, so flee from them and chasten them, and say to them a word that will touch them all the way inside themselves. We did not send a single messenger except that he be obeyed by the permission of Allah. If they (the hypocrites), when they had oppressed themselves, had come to you and begged Allah to have forgiveness for them, then they would have found that Allah is Always forgiving to those that repent and Merciful.'[381]

"O you people! These ayaat and commands you have heard them before and read them before and we are not going to explain them. These ayaat are very firm and clear. There is a lot for you to learn, obey and be advised of if you think about it. Think about your position now in relationship to disobeying these ayaat and whatever you must do to comply with these ayaat.

"You are ruling with laws that have nothing to do with Islam. Instead they are going opposite to Islam. I would not be exaggerating if I loudly announce that these laws you are ruling yourselves with now are closer to Christianity than Islam.

"I am not a man of dreams. I am not asking for a big revolution against these laws. And I believe to go by force now is more harmful than the peaceful way. I have come to you so that we can integrate ourselves together upon the Sunna as we go slowly.

"O you people of the Law in Egypt. I start my call with you. You are the people of power in this country. In your hands is the law and order. Your committees are now legislating laws according to the new modern legislations. Come to a proper Islamic way between us and let us put our hands together and work sincerely

[381] Surat un-Nisaa', ayaat 59-65

for the sake of Allah. Leave your bad habits for the foreign laws and opinions.

"I will not say to you that we will be too strict with Islam. I ask you to hold Islam with us. If you refuse, I will call the`Ulama of alAzhar and they will obey, carry this difficult work and raise the banner of the Qur'an. They will carry the banner of Islam with both their hands, which carried the light of Islam for 1000 years. Some of these `ulama are trustworthy, strong and knowledgeable.

"We are not arguing that some laws are against the Shari`ah and some are not. We are arguing here that the source of this law is a source not allowable for any Muslim to make it an Imaam when he legislates and Allah ordered him to refer everything, large and small, to the Qur'an and Sunna. They must be the head (Imaam) for legislation from which we deduce every law, according to their limits and they must be obeyed at every time and place.

*"We disregard and denounce the manner in which the people are dealing with these laws. The people who legislate these laws don't care if they go out of the Qur'an or if they collide with the Qur'an. The basic thing for them is to match it with the European law whether it matches Islam or not. According to the Shari`ah, if **some** of these laws match with Islam, they are still wrong doers."* [382]

Al Qaadi (the judge), Shaikh Ahmad Shaakir رحمه الله said in another place,

[382] alKitaab was-Sunnah Yajib Mastur Qawanin

"We see some of the laws allow people to work in Haraam, making it important for those people dealing in these things to have a licence, a licence which is issued by an institution. And this employer, whom the Jaahili laws order him to give the licence, the conditions for that person are fulfilled for those who ask for the licence.

"It is forbidden for him to give this licence even if the Jaahili law asks him to give the licence. That means that he has been ordered to do something wrong, he will allow something wrong. He should not listen nor obey. If he thinks that it is permissible to give him a licence, he is an apostate and has left Islam because he has made the apparent clear haraam halaal, this haraam that is known by necessity for a Muslim.

"We see that some the laws coming from Europe differ with the core of Islam. Some of these laws destroy Islam altogether and this is clear. Some of these laws match Islamic behaviour. It is not allowed to work with these laws in the land of the Muslims even in the matters where they agree with Islam, because when they legislate (the laws, their) source is Islam. Whoever does this is a sinner and a murtadd (apostate), whether he makes a law matching Islam or not." [383]

The great Al `Allamah, **Shaikh ul-Islam of his time,** the Shaikh of the Qur'an memorisers in his time, the faqih, the head over all the judges in the Shari`ah courts of Egypt, Imaam Badr ud-Din al`Ayni رحمه الله [384] clarified the issue for all those to read and learn from,

[383] As-Samaa` wat Ta`aa

[384] Perhaps one of the greatest Hanafi scholars to ever live, this scholar , his credentials and life story are mentioned in his work, `Umdat ulQaari, V. 1, p. 1.

"Whoever changed the Shari`ah of the Prophets and made his own Shari`ah, his Shari`ah is baatil (false). It is Haraam to follow these people,

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

"Or do they have partners for them legislating a religion that Allah did not give permission for at all. Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment." [385]

"Due to this, the Jews and Christians became kuffar. They hold tight to their changed Shari`ah and Allah made it obligatory on humankind to follow the Shari`ah of Muhammad ρ." [386]

There should be no doubt in our minds now the responsibility the people of knowledge have towards the Ummah, and the catastrophic consequences that loom on the horizon whenever they abuse or leave their responsibilities.

---

385 Surat ush-Shura, ayah 21

386 `Umdat ulQaari, V. 24, p. 81

ANSWERING SOME DOUBTS

THE DISCOVERY OF THE WORK OF THE GREAT IMAAM AT-TAHAAWI رحمه الله

After the information vigorously documented about Haakimiyyah before this chapter, one would find it difficult to find excuse with the task in front of us. However, in recent years, sinister souls have worked their magic and used certain statements by a great scholar out of context with regard to ruling. This statement was made to be a doubt regarding the issue of Shirk al-Haakimiyyah and whether or not legislation into the laws of Allah is major shirk, kufr and zulm or not.

For the benefit of the reader, we would first like to give the history of the book that Imaam at-Tahaawi رحمه الله was quoted from and how it came to be used as a candy cane of kufr by the abusers of Shari`ah.

Firstly, the first person to discover the explanation of Imaam at-Tahaawi's رحمه الله book was al `Allamah Ahmad Shaakir, who was appointed by al `Allamah Muhammad ibn Ibrahim رحمهما الله to find the commentator of the work. Imaam Ahmad Shaakir رحمه الله found out through linguistical analysis that the authorship could be traced directly to Imaam Abu `Izz al-Hanafi رحمه الله. This breakthrough came by matching Shaikh al-Hanafi's رحمه الله wording, poems and the rest of his speech and evidences, some

of which had been included in his explanatory notes of at-Tahaawi's رحمه الله original work.[387]

Secondly, after these two great scholars found this explanation and verified it, they put it into action and commented about it. Later, after the book was published government scholars would come after their time and tamper with the wording, interpreting and using it to suit the governments and the regimes of corrupt rulers.

The reason we make this introduction is to show the difference between the commentary on Haakimiyyah by these two great scholars and the scholars of the thrones. When you read the words of Shaikh Ibn Ibrahim and Imaam Shaakir رحمهما الله in this regard, you can easily see how precise and to the point their comments are when they sound the alarm regarding Tawhid al-Haakimiyyah. The arch enemies of true scholarship however, use this work to print books, attribute it to themselves and make money, as their wish is to always give the rulers something to shine their thrones with from their twisted commentary.

To those who make comments about this book, they should not give the interpretation of government scholars. Instead, it should be the commentary of those that worked hard on it without a promise of promotion. The abusers of Shari`ah today have given the job to other honey pot scholars to dilute the book and work hard to digress people away from studying the issue of Shirk of Haakimiyyah. Fortunately, the two scholars who happened along the manuscript worked hard to revive the issue of Haakimiyyah, and we respect their stance for the truth.

---

[387] For the complete explanation behind the discovery of this great work, you can see the book under the title of Sharh ut-Tahaawiyyah fil `Aqidat is-Salafiyyah by Abu `Izz al-Hanafi رحمه الله, commentary by al `Allamah Ahmad Shaakir رحمه الله, in the introduction of the work.

WHAT DID IMAAM AT-TAHAAWI رحمه الله SAY AND HOW DID IMAAM ABU `IZZ AL-HANAFI رحمه الله EXPLAIN THE STATEMENT?

Due to the fact that this statement touches a lot of aspects in Islam, we will only mention the statements that are relevant to our topic here, Allah's Governance and Tawhid al-Haakimiyyah.[388] The commentary that we are about to quote is based on a statement, in which Imaam at-Tahaawi رحمه الله said,

"WE DO NOT CALL ANYONE FROM THE PEOPLE OF THE QIBLAH A KAAFIR BECAUSE OF A DHANB[389], UNLESS HE MAKES IT HALAAL. ALSO, WE DO NOT SAY THAT THERE IS NO HARM TO DO A DHANB FOR THOSE THAT HAVE BELIEF."

Imaam Abu `Izz al-Hanafi رحمه الله said,

"You should know, may Allah have mercy on you and us, that the chapter of doing or not doing takfir is a great chapter which has a lot of fitnah and hardship in it and has many divisions and opinions and desires that have gone everywhere into this chapter."

---

[388] For the rest of the explanation regarding other issues and this statement, see the al `Aqidat ut-Tahaawiyyah which is by Imaam Tahaawi رحمه الله explained by Imaam Abu `Izz al-Hanafi رحمه الله, commentary by a group of scholars, including alImaam Ahmad Shaakir رحمه الله and the work on ahaadith were collected by alAlbaani, p. 316-324.

[389] Dhanb here in this context means a major or minor sin. In another context, it could very well mean major kufr.

He then commented on the statement of Imaam at-Tahaawi رحمه الله,

"We don't call anyone from the people of Qiblah kaafir. Thus it denies all takfir in general, even though it is well known that amongst the people of the Qiblah are hypocrites that are more in kufr than Jews and Christians. This is according to the Qur'an, Sunna and Ijmaa`a. Among them, some will expose the hypocrisy of their kufr when they feel they can get away with it.

"Although they pretend to say the two testimonies, there is also no doubt amongst Muslims that if the person shows his denial to the compulsory, decisive duties of Islam, or the compulsory apparent prohibitions or something similar, then he should be asked to repent. If he doesn't, he should be killed as an apostate..."

He commented further by saying,

"Therefore, many of the scholars have refrained themselves from saying in general that we don't make takfir on anybody with a dhanb, but the right thing to say is that we don't make takfir on them with every dhanb. There is a difference between general negation and the negation of the general. What is waajib (compulsory) here is the negation of the general."[390] [391]

Imaam al-Hanafi [392] رحمه الله reasoned,

[390] The general negation means here calling them kuffar for every sin. But what is compulsory here is the negation of the general. It means we don't make takfir with every dhanb, but we can make takfir due to some dhanb.

[391] Al`aqidat ut-Tahaawiyyah, p. 316-317

[392] This was a famous contemporary of Imaam at-Tahaawi, and he is the foremost expounder of the explanation of the book. He as well was a great Hanafi scholar and he was filled with knowledge.

"If we need to stop giving the titles to decide if a person is from the Fire or the Paradise, that shall not stop us from punishing him in this world to stop his bid`ah in this world and ask him to repent. If he doesn't, we should kill him. Also, if what he says is in itself kufr, [393] *then we should also say that it is kufr. And the person who said such a kufr, he becomes a kaafir after applying the conditions and making sure that there are no impediments to giving him these titles. And this will never happen from a person unless he becomes a real zindiq. And the Book of Allah elaborates on that Allah divided people into three categories.*

"Some are from the kuffar of the muskrikin and people of the Book who do not say the two testimonies. Others are the believers inward and outward and the third are the believers only outwardly, but not in their hearts. All these are explained in Surat ul-Baqara. Anyone who it has been proven he is kaafir but he still says the two testimonies, he is nothing but a zindiq, and the zindiq is the munaafiq." [394]

---

[393] With regard to our research, words that should be classed as kufr have examples, such as, *'We put the thief into prison; we don't cut the thieves hands; we make adultery allowable as well as nudism.'* These comments are clearly against the divine Islamic precepts. Other statements of kufr include, *'It is permissible to do gambling, buying and selling alcohol; We will make a new law; We make usury establishments and legislate laws to protect it,'* so on and so forth. These type of statements are kufr in and of themselves, as they are ridiculing the Qur'an, challenging Allah I, denying the Messenger ρ, denying his message and his will. These types of statements are far more impolite than raising our voices in his presence of the Messenger, which is enough to nullify our good deeds. Above all, Allah I called it Shirk at-Tashrii` (also known as the controversial Shirk al-Haakimiyyah) in Surat ush-Shura, ayah 21

[394] Every Zindiq is a Munaafiq but not every Munaafiq is a Zindiq, but both are kuffar. The reason is, the Muslims will not know a Munaafiq until he exposes his kufr loudly when it suits him or Allah exposes him on the Day of Judgement. Once he does this and contradicts Islam, then he is given the title zindiq. The zindiq will deny his clear contradiction of Islam when confronted

The shaikh رحمه الله then gives warning,

"However, the scholars all agreed that whoever Allah and His Prophet called a kaafir, we must call him a kaafir. It is prohibited for anybody that Allah I called the ruler by other than his Shari`ah a kaafir and the Messenger calls those who did an action a kaafir and we do not give them the title of kufr." [395]

He continues,

"And there are some very important matters which people should be aware of, these are that ruling with other than what Allah revealed could be kufr which shifts people from the fold of Islam and it could be a major or minor sin, which is also called a kufr...."

"This is according to the situation and condition of the ruler. If he believes that the rule by the Shari`ah of Allah is not compulsory and that he has an alternative to it, or degraded it,

---

about it. This is why many scholars kill the zindiq without asking him to do tawbah, because they know that he will keep denying his kufr when faced with it. Ali τ killed people who used to say kufr and then denied their kufr without asking them to repent. This shows the clear methodology on how to deal with a zindiq. But when dealing with the normal murtadd (apostate) or kaafir, `Ali asked the people to repent who changed their religion to Christianity or Judaism after they accepted Islam. And here we must understand, that the great Imaam al-Hanafi knows that people could say the shahaada and they could very well be kuffar at the exact same time, so he is warning about this situation. This is because the punishment for zanaadiqa (plural of zindiq) is death. A Munaafiq could stay alive until he is proven that he is zindiq, then the capital punishment is applied.

[395] Ibid., p. 323

although he knows it is from Allah, then this is the major kufr.[396]

"And if he believes that it is compulsory to rule by the Shari`ah and he knows this during the incident[397]*, but he deviates from it, admitting that he deserves to be punished, then he is disobedient and he also has to be called a kaafir in the minor sense.*[398]*"*

An important conclusion about this comment is that we should now notice that any un-Qur'anic or non-Hadith verse could cause as much controversy as the statement above when chosen as a judgement. This statement above was not chosen by Allah I

---

[396] Imaam Ahmad Shaakir رحمه الله said at this point, *"That this is a major kufr. And this is exactly what Muslims are suffering from now by those who study the European laws from amongst Muslim people, men or women. Those who have filled their hearts with this European love, defended it, ruled by it, propagated it and their upbringing which is based on the work of destructive missionaries, the enemies of Islam. Some of them, they said their belief loudly, while others hide their belief about this law. They all rule and earn by it and support it. Inn lillahi wa inna ilahir-raji`un…"*

[397] Now we can see when the scholar said, 'incident', they could have never been referring to the time when all of the Shari`ah was replaced with another law. They just thought that some judge in a hidden corner would take a bribe in some matter in certain cases, one or two. This is the proof to say that the words of all the trustworthy scholars in the issue of the kufr alAsghar with regard to ruling, by no means matches our time now. These trustworthy scholars were not talking about legislation, but they were talking about certain incidents in judgement within the boundaries of the Shari`ah still being the sole legislation, not actual application of a fabricated law. The scholars never spoke of someone writing down a contract of obedience or rulership with this fabricated law for as long as the ruler in question is in power. Such a person that does this is a kaafir without any incident having to take place. And such a people are the same people who Imaam Abu `Izz رحمه الله said of them that they are pronouncing shahaada and doing kufr. Thus they deserve the punishment of a zindiq, a kaafir that announces his kufr loudly and then denies it.

[398] This is of course the kufr that doesn't take the person outside of the fold of Islam.

to judge belief. And from all the controversy above, we can now focus onto the statement even closer.

The first part of the statement *("we do not declare kaafir")* is clear and means that we don't invent a title of kufr if it doesn't exist. But this doesn't mean at the same time that we hide an existing title of kufr, which some people are seeking to use it for.

The next statement *("anyone")* is talking about an individual in the takfir of mu`ayyin. [399] It is not speaking of a group of kufr or dhanb to carry the title.

The statement *("from the people of the Qiblah")* [400] is also controversial. It is well known that the Sahaaba have called some people of the Qiblah apostates and taken their wives as captives. They also killed those people for leaving a part of the Shari`ah and took their property as in the War of the Apostates (who ceased paying zakah) and the War of the people of at-Ta'if (who refused to stop usury).

Next is *("with a sin/error")*, which is by the admission of the big Imaams a controversial thing. It should be said with an error that is not a sin that is called a kufr. This is not like now when people use this to cancel even statements and errors that have clearly been called kufr in the Qur'an. We did not invent these titles, but they are classifications that Allah I has used to identify people with a certain action.

To come to the statement *("unless he makes it halaal")* has a controversial theme to it as well. This can only be used for sin

[399] This is to make takfir by actually mentioning the person, for example, due the kufr that he did, Johnny X is a kaafir.
[400] The people of the Qiblah are those people who are pronouncing the two testimonies of faith and praying towards Makkah.

and major sins. This can not be used with regard to kufr, as the Sahaaba ψ did not even ask the apostates and people who stopped paying the zakah the question of whether they thought what they did was halaal or whether they made it halaal or not. Another is the example of the people who mock the religion of Islam. No one asked them what they thought or did they think their statement was halaal. This is not necessary, as the Shari`ah has set the guidelines for this incident and calls it a kufr straight away. Questioning in this matter would be foolish.

Some kinds of errors need inquiry whether or not the error is kufr in the Shari`ah. The next is asking the person whether or not he thought the act was halaal, such as the drinking of alcohol, adultery and so on, which Allah I identified as a major sin. Let's take the story of `Umar τ as an example. He asked some Sahaaba ψ when they drank alcohol, *'Why did you do it?'* When they said, *'We thought it was halaal',* they were asked to repent, otherwise they should be killed as apostates. This ruling is of course unanimous by the Sahaaba ψ. Once they repented, then they were flogged as sinners for drinking alcohol.

Take the second example of the person who married his mother-in-law. He was killed. Yet, the Messenger ρ did not ask the person who married his mother-in-law, *"Why did you do it? Or did you think it was halaal or haraam?"* Instead, he sent the uncle of Barra τ to kill this man, and to confiscate his property to the Bait- al-Maal (The Islamic treasury).[401]

Furthermore, the people who were mocking the Sahaaba and the Huffaaz (Those who have memorised the Qur'an) in the Battle of Tabuk, Allah I declared them kuffar after their belief, without asking them what they thought or why they did it. In fact, they

[401] Narrated by Abu Dawud, Imaam Ahmad and Tirmidhi

admitted loudly that they didn't mean kufr, but Allah I still labeled them as kuffar.

قل أ با لله و آياته و رسوله كنتم تستهزءون لا تعتذروا قد كفرتم بعد إيمانكم

"Say, 'Was it in Allah, His signs and His Messenger that you were mocking? Make no excuse, you have become kuffar after your imaan.' "[402]

So here we are looking at the errors that are called kufr but the people did not have to be asked what they thought or why they did it. If they meant the action, they meant the kufr and there is no other way around it. This is the same for those who swore at the Messenger of Allah ρ, spit at the Qur'an, swore at Allah I or legislated a law against the law of Allah I. These actions can only mean one thing, and that is that there is no Islam left and that kufr has been established in the heart of the person that committed the act. This is clearly proven by all the verses in the Qur'an that have spoken on this matter. The actions of the Messenger ρ and the Sahaaba ψ after him were in complete accordance with this understanding. Another evidence that can help our research is the incident involving `Ali τ, in which a man said that K`ab ibn al-Ashraf [403] was killed in a traitorous manner and `Ali τ ordered the man to be killed.[404]

Also, with regard to the discussion, why is it that the Shaitan is declared to be a kaafir? He admitted his fault in front of Allah I and he did not declare it to be halaal for himself. He only wanted to persist doing so until Judgement Day. This is called kufr

---

402 Surat ut-Tawbah, ayah 65-66

403 This man was one of the religious heads of the Jewish community and openly opposed Islam and helped in campaigns against the Prophet ρ.

404 alJaami` ulAhkaam filQur'an, V. 8, p. 82

al`Inaad (the stubborn kufr), which has nothing to do with speech or making something halaal with speech. This is why Allah I said of the act of Shaitan,

أبى و استكبر و كان من الكافرين

"He refused, and he was arrogant, so he became a kaafir." [405]

So from this verse, we know that Shaitan apostated by being given an order and insisting on disobeying that order. Yet today, no sentient creature declares Shaitan a Muslim and excuses him.

TAWHID AL HAAKIMIYYAH! BID`AH OR NOT?

AL-HAAKIMIYYAH WHAT IS TAWHID?

In consideration of Tawhid al-Haakimiyyah, there has been a great amount of opposition to the belief in this particular type of tawhid. The opposition comes from those that say that the actual term Tawhid al-Haakimiyyah is a bid`ah (innovation). This argument is made on the basis that the other terms of tawhid

[405] Surat ulBaqara, ayah 34

were referred to long ago, but this tawhid today is new and is therefore not from the ancient scholars. Thus, the issue is of the مصد طلح(expression in terminology), 'Tawhid al-Haakimiyyah,' is it an innovation or not? If it is an innovation, why? And if it is not an innovation, who made this statement and what are the evidences for refusing to follow it. In answering these objections from the opponents to Haakimiyyah, it should be answered in these ways,

1. Where the actual term came from, meaning who said it and how is it associated with Islam?

2. What do we mean when we say 'Tawhid al-Haakimiyyah' and what are the implications of it?

3. Are there any other examples of new terms being introduced into the religion?

HAAKIMIYYAH IS DIRECTLY ASSOCIATED WITH TAWHID

The term of Haakimiyyah, speaking more specifically, came from the Qur'an, where Allah said,

إن الحكم إلا لله

"The legislation is only for Allah." [406]

و لا يشرك في حكمه أحداً

[406] Surah Yusuf, ayah 40, Surat ulAn`aam, ayah 57

"And He (Allah) does associate in His legislation with anyone." [407]

و من لم يحكم بما أنزل الله فأولئك هم الكافرون

"And whoever does not judge by what Allah sent down, then they are kaafirun." [408]

The names and attributes of Allah I is where it issues forth from, with terms such as al-Hakam, al`Adl, al-Mutakabbir, al-Malik and al`Adl. To deny Tawhid al-Haakimiyyah is actually Ilhaad [409] in the names and attributes of Allah I. This is very dangerous and has been referred by Allah I

و لله الأسماء الحسنى فادعوه بها و ذروا الذين يلحدون في أسمائه سيجزون ما كانوا يعملون

"And for Allah are the most beautiful names. So call on him by them and stay away from those that do Ilhaad in His names. They will be rewarded for what they did." [410]

Ibn `Abbas τ said in his tafsir regarding this verse, 'They have made shirk.' Some argue by saying, *"We believe in the names Hakam, but we don't believe in the Haakimiyyah",* like some people say today. But this argument is the same for those who say, *"We believe in Allah, but we don't believe in Uluhiyyah."* This is unacceptable, as you must believe in the name, as well as its' implication. And to actually go forth and deny Tawhid al-

---

[407] Surat ulKahf, ayah 26

[408] Surat ulMa'ida, ayah 44

[409] This is when someone denies the meaning of one of the names of Allah. The person may denounce just the name, or the name and the title together. This is a sign of one of the deviant groups in Islam, like the Jahmiyyah.

[410] Surat ulA`araaf, ayah 180

Haakimiyyah as a principle are very close to major shirk and major kufr. The reason why is that if Tawhid (the singling out of Allah I alone) is a bid`ah, then that means that Shirk (association in) al-Haakimiyyah is permissible. The evidence is,

و لا يشرك في حكمه أحداً

"And He (Allah) does associate in His legislation with anyone." [411]

In this verse Allah I made the direct link between His Law giving legislative power (Haakimiyyah) and the major shirk of associating in it. Anything linked with tawhid could never be a bid`ah and must never be seen to be the case. Those that deny the term 'Tawhid al-Haakimiyyah' are very narrow minded, for they do not realise that Uluhiyyah is a term to better understand a principle just as Haakimiyyah is a tool.

[411] Surat ulKahf, ayah 26

WHAT DO WE MEAN BY THE TERM 'HAAKIMIYYAH'?

When we say a term, we must also have a meaning for it. And when asked to give an explanation, it is an Islamic responsibility to provide one for whichever terminology we are using. For if we are not entitled to use such terms, then our usage is baseless. When we say Haakimiyyah, we mean to protect the right of Allah that we have been entrusted with against His I enemies. That right is the right for legislation, judging and executing the judgements is based on the following evidences,

شرع لكم من الدين

"He (Allah) legislated for you the religion."[412]

أم لهم شركاؤا شرعوا لهم من الدين ما لم يأذن به الله

"Or do they have partners legislating for them a religion that Allah has not given them permission for at all?"[413]

ثم جعلناك على شريعة من الأمر فاتبعها و لا تتبع أهواء الذين لا يعلمون

"Then we made you on a shari`ah from the natural order, so follow it and do not follow the desires of those that do not know!"[414]

Notice here that Allah I actually uses the word Shari`ah in this ayah. Thus from the very beginning Allah I shows the association between Himself and the Shari`ah, which is the chain between Creator and creation that Haakimiyyah represents. There are hundreds of ayaat that mention that the

412 Surat ush-Shura, ayah 13
413 Surat ush-Shura, ayah 21
414 Surat ulJaathiyah, ayah 18

hukm (legislation) of Allah I is the only hukm and none other is to be accepted. To shed more light on understanding the term **Haakimiyyah,** the term means what consists of authority to set the rules of legislation or to set the rules. This is magnified in the name of Allah I **al-hakam**, which is different from that of **Al-Haakim**. **Al-hakam** is the authority to legislate and make the rules and regulations for anyone that Allah I pleases to rule. Therefore, when **Al-Haakim** exceeds his bounds and tries to make rules, he has gone to **al-hakam**, even though he said nothing He has still done the act. It is unanimous by Ahl us-Sunna walJama`ah that this is major Shirk, because it is an obvious challenge to such a unique name of Allah I.

The implications of these names are that we do not allow anyone to share in such a title or an authority over His I servants. Therefore, it is a mirror of tawhid to that of Uluhiyyah, which says that he is Allah I. Its' mirror image relation to the tawhid of names and attributes is that he is **al-Hakim,** so we come to Tawhid al-Haakimiyyah. And he is **al`Adl,** so we come to Tawhid al`Adliyyah (the tawhid of the most just). He I is also **al-Malik** so we can say Tawhid al-Mulkiyyah (the tawhid of Allah's I legislated dominion), this is all to execute our duties toward this tawhid. However we say it, it all has to do with the legislation of Allah I. Likewise, Tawhid al-Uluhiyyah (the tawhid of the divinity of Allah I) is sometimes called Tawhid al`Ibaadah (the tawhid of worship), at other times Ilaahiyyah (the tawhid of divine existence in divinity) and in other places `Ubudiyyah (the tawhid of the one deserving slavery in worship from His creation).

EXAMPLES OF NEW TERMS INTRODUCED

There have been many terms introduced into the religion for the necessity to preserve it. From the introduction of these phrases, these terminologies have become widely accepted by Muslims to preserve the way of understanding the underlying principles that these terms are based on. The scholars of Islam, however, are not as interested in the terms as they are in the implications of the terms. They strive to stay away from any terms and misconceptions that could cause confusion in the Shari`ah.

This is why the stress with them is not the term, but the implication of the term or terms. Some have introduced terms in order to explain a large concept that was mentioned in the Qur'an or the Sunna with just one phrase so as to be memorised easily. In fact, everyone uses some of these terms as if they are found in the Qur'an and they are not. The government paid scholars use terms pleasing to the ruler and those expressions that appease his ego. There are also some legitimate terms introduced into Islam that these same government scholars use to abuse other Muslims, for the love of their regime. One term made mention of is the term 'Ahl us-Sunna walJama`ah'. People use this term to exclude people from Islam, not realising that this term is not a Qur'anic term, nor was it said explicitly in the Sunna. 'Haakimiyyah' is much more Qur'anic in origin and yet people are rejecting it and holding onto the term 'Ahl us-Sunna wal-Jama'ah'.

This doesn't mean that we reject the term, but we would like people to stay consistent when they introduce or deny a term, if they are people of evidence. The term 'Ahl us-Sunna walJama`ah' was introduced by the scholars to protect the Sunna of the Messenger ρ as much as the term 'Haakimiyyah' was introduced to protect the message of the Qur'an and the Sunna from being altered and put out of commission. The other famous

term being used as if it is in the Qur'an is the term '`aqidah' (creedal belief). Strangely enough, everyone uses the term '`aqidah' for his own definition. If it were a safe word to use, it would have been in the Qur'an, ahaadith or any book of the first three generations that we are supposed to follow.

This term doesn't even appear in a **fabricated** hadith, yet it is widely accepted by the Ummah to be used. In fact, the government scholars who use this term to take away the action (imaan), and focus on the theory (`aqidah) enjoy it. They reason that the ruler cannot be called a kaafir for altering the Shari`ah, but first you must question him to know what is in his heart. However, since the `aqidah is theory and a matter of the heart, there is no way to check it. This definition and understanding put forward keeps people from actually looking into the imaan of the rulers, which is based on action. In this way they protect the ruler by stressing the correctness of the ruler's '`aqidah'.

Tawhid al-Haakimiyyah has much more evidence in the Qur'an and Sunna than the term '`aqidah', and to be blunt, the two terms cannot even be compared. 'Haakimiyyah' exposes the evil of the rulers and their shirk, but the word '`aqidah' is used to cover their shirk. Muslims should be aware of these types of underhanded tactics. Using different terminologies becomes more complicated when you say Al `Aqidat ut-Tahaawiyyah, al `Aqidat ul Hamaawiyyah[415] and so on, because it begins to deviate from the word 'imaan' (action), which is known in the Qur'an.

---

[415] Again, these are new usages that were not known in the first three generations of Islam. But the Ummah and the scholars, who understand Islam and employ small words or phrases to make large concepts easy to remember and understand, did mention these terms. This is why we accept the term `aqidah. Should we not accept the term 'haakimiyyah' which is more ancient in origin and is more closely linked with the Qur'an?

So this becomes a strange word with a local sort of imaan, yet people call other people deviants if they don't believe in this term (`aqidah) and they don't use it. When people have all the Shari`ah intact, scholars don't have to put heavy emphasis in their '`aqidah' books about the issue of 'Haakimiyyah', but they write only about the bid`ah of their time, such as 'Hamaawiyyah'[416] and etc. Our time is different now, because we are suffering from the distortions of the Shari`ah and the Haakimiyyah. Had these scholars lived in this time, they would have written all of their works about the Shari`ah and Haakimiyyah.

Although it was not the issue of the time, the scholars still addressed this issue and spoke of its' consequences in the hypothetical way and the dangers of going out of the Shari`ah. This is with regard to terms introduced for description for the core of belief. Hundreds of terms have been introduced in understanding hadith, history and so on, such as 'Usul ul-Fiqh', 'Usul ul-Hadith', 'ahaad', 'mashhur', 'Ulum ul-Qur'an', 'Ulum ul-Hadith', 'Usul ut-Tafsir' and so on. These people, when they ask about the terms that have been introduced, they should be asked about the terms that they are dividing the Ummah with, '`aqidah', 'Ahl us-Sunna walJama`ah'.

Those who have the audacity of denying Tawhid al-Haakimiyyah haven't even thought of the fact that they should in turn also deny Tawhid al-Asmaa was-Siffaat (The Singling

---

[416] This was originally a work written by Ibn Taymiyyah رحمه الله, entitled al`Aqidat ulHamawiyyah (the belief of the people of Hamaa) which was based on a people living in Hamaa' who were from the Ash`ari belief. These people challenged Ibn Taymiyyah رحمه الله in a written letter for an answer. Ibn Taymiyyah رحمه الله answered and in the period between zuhr and asr wrote his famous answer. To this day it remains as a concise and easily readable refutation of one of the great innovations of that time.

out of Allah I in all of His Names and Attributes), which as a technical term is newer than 'Haakimiyyah'. When Shaikh ul-Islam Ibn Taymiyyah رحمه الله singled out and titled 'Tawhid al-Asmaa was-Siffaat,' many of the scholars disagreed with him and attempted to refute him for making another technical term for tawhid.[417] But just because something appears new or is newly said to the ears of that one person does not mean that it doesn't have evidence in the text. To be even more specific, some of those who were denying al-Asmaa' was-Siffaat were from among the Ashaa`ira and Mu`tazila [418] who didn't want to give Allah I His right in the uniqueness of His names and attributes. This current malady is acted out with the denial of 'Haakimiyyah' for those who do not want to give Allah I His right in the manner of being the only Unique One in legislation.

Likewise, 'Tawhid urn-Rububiyyah (To Single out Allah I in His Lordship), Tawhid al-Uluhiyyah (To single out Allah I in worship), Tawhid al-Walla' wal-Baraa'(Tawhid of Loving and Hating for Allah) ' are all newly invented terms, yet no one denies the term or the principle, as this would be disastrous. This is also because it is not the current bid`ah. When Uluhiyyah was the subject of debate, there were others who were trying to deny its' impact and its implications. Now things have come full circle today and the Haakimiyyah is under assault, although it is the battle of Tawhid today.
Those who deny Haakimiyyah try to do so under the guise of saying that they are protecting the religion from innovations.

[417] For further information on this dispute with Ibn Taymiyyah, please see his work Majmu`a Fataawa, under the volumes of Rububiyyah, Uluhiyyah and alAsmaa' was-Siffaat, volumes 1, 2 and 3.
[418] These two groups explain away or completely deny the attributes of Allah I by giving bizarre and unheard of explanations for them. This came due to the translations of Greek and other Hellenistic works into the Arabic language and their falling into the trap of rationalism.

But what of the innovation of Ibn Taymiyyah رحمه الله in singling out the tawhid of 'al-Asmaa was-Siffaat'? Who did this in the first three generations? No one! But today, we find everyone using it and benefiting from the evidences that have been used to prove its' validity.

Those that deny the Haakimiyyah, they want to stop the performance of Allah's I religion from being seen. Those that want to stop the qist (justice) are actually trying to stop the Haakimiyyah. Those arguing about Haakimiyyah, bang their heads with this ayah, for it is the highest form of Tawhid, resulting in the culmination of all the other aspects of tawhid,

شهد الله أنه لا إله إلا هو و الملائكة و أولو العلم قائماً بالقسط لا إله إلا هو العزيز الحكيم

"Allah bears witness that there is no one that has the right to be worshipped but Him, and so do the angels and the people well grounded (qaa'iman) in knowledge and always just (qist). There is no one that has the right to be worshipped but Him, the Most Mighty, the Most Wise."[419]

The word, Qaa'iman (always standing firm) means, non-stop performing of the justice (qist) when someone is performing it every second. The Ummah is witnessing this very situation now. The tyrannical rulers of Muslim nations don't mind the population praying, fasting, giving zakah or doing Hajj, as this does not hurt them much. It doesn't cause the kuffar leaders any concern if we do these acts in Nicaragua, Columbia, Egypt or any of these other places. This is because they (the kuffar) are the exact same in belief as the tyrannical rulers. They are only hurt if the believers are in power or control of the government. If this takes place, then these rulers lose their peaceful demeanour

[419] Surah Aali `Imraan, ayah 18

and they fight the Muslims. The Muslims must have strength to prevail so that they will then dictate the policies, not these corruptive forces.

Therefore, the bid`ah is not introducing a certain title or name and working under the name to protect Islam. The real bid`ah is to let go of the Shari`ah and argue with Muslims while the kuffar make what legislation they like in their court rooms which will decimate the Muslims and kill their opponents while the others are arguing on their behalf. This is a trick from the scholars who help these kings and fill their bellies with the Shirk al-Haakimiyyah. How can they be trusted to protect Haakimiyyah when they have sold it? How can they be expected to support it and they are being paid to fight it? How could they be even asked about it when the truth came and they didn't like it? If they truly cared for Islam and Muslims, they should have spoken for Islam and defended the Haakimiyyah of Allah I first, before anyone else. As scholars, this is what is expected of them. But look at what Allah I says of these evil monsters,

لقد ابتغوا الفتنة من قبل و قلبوا لك الأمور حتى جاء الحق و ظهر أمر الله و هم كارهون

"They had already plotted fitnah (sedition) before, and they upset matters for you, until the truth came and the order of Allah became manifest, even though they hated it." [420]

These are the descriptions for the hypocrites, but when the truth comes out, they very much dislike it. The implication is to expose the enemies of this tawhid, encourage people to fight them or fight them ourselves until the whole of the religion comes under the banner of Islam.

[420] Surat ut-Tawbah, ayah 48

THOSE WHO ARE UNCOMMITTED TO HAAKIMIYYAH

A REPLY TO THOSE WHO SAY THAT RULING BY OTHER THAN ALLAH'S I LAW IS A LESSER KUFR

One of the most ridiculous abuses taking place today is that of Ibn `Abbas's τ statement 'kufr duna kufr'. This statement has been used and abused and taken as a scrub brush to polish the teeth of the tyrants, who still have the bloody meat of the Ummah in between their rotten teeth. But we shall take a brief look at this statement and show that it was made in a certain time and a certain era, thus it cannot be applied in today's situation

The era this statement took place in was when a dispute between Mu`awiya τ and `Ali Ibn Abi Taalib τ, both companions of Muhammad ρ, had arisen and dissenters from `Ali's τ camp had classified Abu Musa al Ash`ari τ, an arbitrator for `Ali τ and `Amr Ibn ul `As τ, an arbitrator for Mu`awiya τ to be kuffar. The evidence quoted by the dissenters, later to be known as the Khawaarij, was that in Surat ul-Ma'ida, ayah 44, in which Allah I says,

و من لم يحكم بما أنزل الله فأولئك هم الكافرون

"And whoever does not judge by what Allah sent down, then they are Kaafirun (unbelievers)."

Because of this, the two above-mentioned sahaaba (companions) τ were classed as kuffar because the Khawaarij believed the two arbitrators had judged by other than what Allah I sent down in the matter of settling the dispute between `Ali τ and Mu`awiya τ, thus they were both kuffar. In response to this misinterpretation of the ayah and in defense of Abu

Musa τ and `Amr ibn al`As τ, Ibn `Abbas τ said that what had occurred was kufr duna kufr [421].

He further made it understood that the members mentioned were indeed still Muslim, and that the Khawaarij's understanding of the verse was not correct. Ibn `Abbas τ could not have known that from this simple statement, the evil tyrants and their supporters would later in our time use this as an excuse to hinder those who are attempting to enjoin the right and forbid the evil by removing the helpers of the Shaitan and demolishing their thrones **indefinitely.** In fact, so carefully detailed and deceptive has the corruption of this statement been, that most people have forgotten the other statement of Ibn `Abbas τ,

حدثنا[422] عن حسن ابن أبي الربيع الجرجاني قال أخبرنا عبد الرزاق عن معمر عن ابن طاووس عن أبيه قال سئل ابن عباس عن قوله تعالى و من لم يحكم بما أنزل الله فأولئك هم
الكافرون قال : **كفى به كفره**

*It is narrated from Hasan ibn Abi ar-Rabi`a alJurjaani[423] saying, "We heard it from `Abdur-Razzaaq from Mu`ammar from Ibn Tawus from his father who said, 'Ibn `Abbas was asked regarding the statement of Allah, **'Whoever does not rule by what Allah has sent down, then they are Kaafirun.'** [424] He (Ibn `Abbas) said, **'It is enough kufr.'**"* [425]

---

[421] A lesser form of kufr that does not render the committer of that sin a kaafir (unbeliever).

[422] The narrator is Muhammad ibn Khalaf ibn Hayyan, known as Waki'a, the author of the work, Akhbar ulQadaa. Ibn Hajar al `Asqalaani, AlKhatibi and Ibn Kathir رحمهم الله have said of Waki`a, "He is trustworthy."

[423] His name is Ibn Yahya ibn Ja`j. He is also trustworthy and truthful. The rest of the narration is all trustworthy and of the highest narration.

[424] Surat ulMa'ida, ayah 44

[425] Akhbar ulQadaa, V. 1 pages 40-45 by Imaam Waki`a

When Ibn `Abbas τ made the statement that *'it is enough kufr,'* this cannot be taken to mean a minor kufr. When he says enough, it can only be taken as a major kufr. The reason why this is such an important issue goes directly to the rules of tafsir on Qur'anic ayaat. It is composed of six points that are to be elaborated on below,

1. Ahl us-Sunna walJama`ah, all the schools of thought and the fuqaha'a (the Islamic jurists) have consensus (ijmaa`) that the saying of one sahaabi (companion) or some sahaaba (companions) is not sufficient to eliminate a general verse from the Qur'an. This rule is called (la yasluh mukhasisa lilqur'an) **لا يصلح مخصصا للقرآن**, meaning that an ayah that is general in the Qur'an can not be made specific by a Sahaabi unless an ijmaa`, an opposing ayah from the Qur'an, a hadith or any other evidence exists.

This rule does not mean that Ibn `Abbas's τ ruling, kufr duna kufr, was wrong regarding the case and the fatwa of the time. No, this is not the case. But it means that he and the Sahaaba understood this (the fatwa) from the reality of the time, which did not contradict the Qur'an or the Sunna.

2. For the protection of the Qur'an, we should take into account the ijmaa`of Ahl us-Sunna walJama`ah on the methodology regarding tafsir. The rule is that the explanation of the ayaat of the Qur'an must be from its outward meaning, unless there is other evidence that we can use unapparent meanings. This happened in very rare instances. Scholars of Tafsir have said, ***"If this rule is not preserved, then the door for bid`ah is wide***

open for the people of Baatin [426] to take the meanings of the Qur'an from its apparent meanings and give totally different presentation than what Ahl us-Sunnah agreed upon."

It is also important to understand that we should not play with the words or apparent meanings of words in the ayaat. If there is another meaning, there must be independent evidence to substantiate it. For example, Ibn `Abbas τ understood that verse 44 of Surat ul-Ma'ida meant the kind of kufr, which he called a kufr, but he did not change the word kufr. But he knew that there are other ahaadith from the Prophet ρ, which state,

حَدَّثَنَا مُحَمَّدُ بْنُ إِسْمَعِيلَ حَدَّثَنِي الْحَسَنُ بْنُ بِشْرٍ حَدَّثَنَا شَرِيكٌ عَنْ الْأَعْمَشِ عَنْ سَعْدِ بْنِ عُبَيْدَةَ عَنْ ابْنِ بُرَيْدَةَ عَنْ أَبِيهِ أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ الْقُضَاةُ ثَلَاثَةٌ قَاضِيَانِ فِي النَّارِ وَقَاضٍ فِي الْجَنَّةِ رَجُلٌ قَضَى بِغَيْرِ الْحَقِّ فَعَلِمَ ذَاكَ فَذَاكَ فِي النَّارِ وَقَاضٍ لَا يَعْلَمُ فَأَهْلَكَ حُقُوقَ النَّاسِ فَهُوَ فِي النَّارِ وَقَاضٍ قَضَى بِالْحَقِّ فَذَلِكَ فِي الْجَنَّةِ

"There are three kinds of judges, two are in the fire and one in Jannah: A man who judged by other than the truth and he knows that, then he is in the fire. The other is the man that judged in his ignorance and he is in the fire. The third is the one that knew the truth and he judged by it, then he is in the Paradise." [427]

That was independent evidence to keep Ibn `Abbas τ from making takfir on participants from both `Ali τ and Mu`awiya's τ camp. This is so because the hadith of the judges applied more to that time than the ayah being used by the Khawaarij. We can then see that the Khawaarij had an objection to certain people,

[426] The Baatini people are those who say that the outward meaning of the verses in the Qur'an are not obvious, but there is a more secret, hidden meaning. Those who do this are the Sufiyya (Sufis), the Shi`a and the Baatiniyya.

[427] Narrated by: Bukhari, Muslim, Abu Dawud, Nasaa'i and Al Hakim, on the authority of Ibn Umar τ

whereas the Mujaahidin are against those replacing the Shari`ah with man made laws.

3. The ayah Ibn `Abbas τ spoke about is not talking about people replacing the Shari`ah as kuffar, but it is actually speaking about those who just fail to use the revelation for judgement or ruling, which is a major kufr, but less of a kufr than those who change or modify any of the Shari`ah (which is still major kufr).

4. Another point is that Ibn `Abbas τ differed with the Sahaaba in many issues, such as, at first he didn't think Nikah al-Mut`a (temporary marriage for enjoyment) was Haraam, but considered it Halaal until `Ali ibn Abi Taalib τ said to him, *"You are a lost man."* Az-Zubair τ also upbraided him, *"If you keep saying it is halaal, I will stone you to death."* Ibn `Abbas τ was also known to have given the ruling that Riba an-Nasi'a (interest collected over a period of time) was Halaal, but simultaneous Riba is Haraam altogether. He also once gave a ruling that the `Eid sacrifice was waajib (compulsory), when most of the Sahaaba τ ruled that it is recommended. Then if any person looks, they can see Ibn `Abbas τ differed with Sahaaba τ in many other issues. Why don't the blind followers of the issue of kufr duna kufr also blind follow his other specified rulings?

5. The Ancient Mufassirin (scholars of tafsir) such as Ibn Kathir, Ibn Taymiyyah and Ibn Qayyim al Jawziyyah رحمهم الله as well as the modern scholars of tafsir, such as Ahmad Shaakir (d. 1958), Muhammad ibn Ibrahim (d. 1969), Usaamah Shaakir and Mahmud Shaakir رحمهم الله narrated the saying of Ibn `Abbas τ, and they knew the context and reality of his time.

Why did they then differ from him in this issue and call some rulers of their time kuffar because of replacing the Shari`ah?

These scholars would not narrate Ibn `Abbas's τ opinion and then differ unless they knew the statement and context. So why were those scholars not called Khawaarij but Mujaahidin?

Ibn `Abbas τ, when he differed with some Sahaaba τ with regard to the sacrifice of the lamb, he quoted ayaat from the Qur'an and statements from the Prophet ρ. The other Sahaaba ψ said, *"Abu Bakr and `Umar never said it or called it waajib (compulsory)."* He then said his famous statement, ***"I told you Allah I and the Messenger ρ said, but you are saying Abu Bakr and `Umar said. Aren't you afraid that the heavens will drop on your head."***[428]

Would he (Ibn `Abbas τ) then be happy now, to accept his name being used against decisive ayaat in the Qur'an?

In conclusion, the words of Ibn `Abbas τ can not be used for the tyrants who replace the Shari`ah. For them, the ***verse of the sword*** should be used, as Allah I says,

فإذا انسلخ الأشهر الحرم فاقتلوا المشركين حيث وجدتموهم و خذوهم و أحصروهم و أقعدوا لهم كل مرصد فان تابوا وأقاموا الصلوة و أتوا الركوة فخلوا سبيلهم

"….Kill the Mushrikun (pagans) wherever you find them, take hold of them, encircle them and lie in wait to ambush them on each and every path. Then if they repent, establish prayers and give zakah, then leave their way free."[429]

And also the hadith narrated by Imaam Ahmad in his Musnad, on the authority of Jaabir Ibn `Abdullah τ,

أمرنا رسول الله ρ أن نضرب بهذا (وأشار إلى السيف) من خرج عن هذا (وأشار إلى المصحف)

[428] See Fath ulMajid, hadith classified as sound.

[429] Surat ut-Tawbah, ayah 5

" The Messenger of Allah ρ ordered us to strike with this (and he pointed to his sword) whoever goes out of that" (and he pointed to the Qur'an)[430]

That means exactly what Ahl us-Sunna walJama`ah have said in regards to those ruling by other than what Allah I sent down, changing the Shari`ah or legislating something, this is the major kufr (kufr al-Akbar). If they fail to apply it in ***SOME*** instances, that could be taken as a kufr of a lesser kufr (kufr al Asghar) or a minor kufr.

Al `Allamah, the great Muhaddith (hadith scholar) of this era, Ahmad Shaakir رحمه الله, explains the difference between minor kufr or major kufr, and the conclusion is chilling,

"This is from the sayings of Abu Majliz. When the Ibaadiyyah (Khawaarij) asked him the meaning of the ayah, as they wanted him to make takfir upon the sultan's group (Imaam `Ali). Abu Majliz then said that they do what they do and know that it is a sin. Their question (the Ibaadiyyah) to Abu Majliz and Ibn `Abbas is not like the bid`ah of our time of those working in legislation, judging, or those judging in money, honour, and in blood with a law opposing the Shari`ah of Islam. And their bid`ah was not asking people who will issue a law for people (Muslims), forcing them to be ruled by other than the Shari`ah of Allah and His Messenger ρ.

"This kind of action is turning away from the ruling of Allah I and leaving away the religion of Allah I, for (those) less than Allah I. This kind of kufr nobody of the people who pray to Makkah should have any doubts about.

---

[430] Also Imam Ibn Taymiyyah narrated the same hadith in his book Majmu`a Fatawa, Volume 35

"And wherever we are living now is leaving the laws of Allah I in general without any exception. We prefer other than His rule, which was revealed in His Book and the Sunna and we denounce the whole of the Shari`ah.

"Whoever says the words of Ibn `Abbas and Abu Majliz as evidence to change their context, hoping he will ally himself to the leaders (rulers) or trying to make ruling by other than Allah's law acceptable in Islam, his rule is according to the Shari`ah, He is a person who denies the rule of Allah I. He must announce repentance. If he says yes, this proves it is a lesser kufr. If he insists upon this statement and does not make tawbah (repentance) and accepts these rules, then everybody knows how to deal with a kaafir who insists upon his kufr." [431]

Shaikh ul Islam, Muhammad ibn `Abdul Wahhaab رحمه الله, said of this matter,

"The second form of the Taghut [432] *is the tyrannical judge who makes changes to the judgements of Allah. The evidence for that is the statement of Allah, Ta`ala,*

ألم تر إلى الذين يزعمون أنهم آمنوا بما أنزل إليك و ما أنزل من قبلك
يريدون أن يتحكموا إلى الطاغوت و قد أمروا أن يكفروا به و يريد
الشيطان أن يضلهم ضلالاً بعيداً

---

[431] Takhrij at-Tabari, Vol.10, pgs. 349-358

[432] Taghut is a false legislator and is derived from the root Taghyaan, which means, "to exceed the proper bounds." There are three forms of Taghut systems,

1. Taghut in the system of legislation
2. Taghut in the system of worship
3. Taghut in the system of obedience

Please see ad-Darar as-Sunniyyah, V. 10, page 502-524

"Have you not seen those who claim that they believe in what came down to you and what came down before you? They seek that they make judgement to the Taghut (false legislators) and they were already ordered to disbelieve in it. And Shaitan seeks to lead them far, far astray." [433]

"The third form of the Taghut [434] *is the one who makes judgement to other than what Allah sent down. And the evidence for this is the words of the Exalted One,*

و من لم يحكم بما أنزل الله فأولئك هم الكافرون

'And whoever does not judge by what Allah sent down, they are Kaafirun.' " [435] [436]

The former Mufti of the `Arabian Peninsula, al `Allamah (most knowledgeable scholar in religious doctrine), al-Muhaddith (the hadith scholar), the faqih (Islamic jurist), Shaikh Muhammad

---

[433] Surat un-Nisaa, ayah 60

[434] Although the Taghut has three forms of system, it has five leaders that command it, as Ibn Qayyim رحمه الله has said,

1. Shaitan
2. The one who is worshipped and is pleased with it
3. The one who calls others to worship him
4. The one who claims knowledge of the unseen
5. The one who rules by other than what Allah sent down

Please see Madaarij as-Saalikin

Muhammad ibn `Abdul Wahhaab رحمه الله made five categories, but there was a different classification of the fifth aspect,

1. Shaitan
2. The one who judges by other than what Allah sent down
3. The one who claims to have knowledge of the unseen besides Allah
4. The one who is worshipped and is pleased with being worshipped
5. The tyrannical judge who makes changes to the judgements of Allah

Please see ad-Darar us-Sunniyyah, V. 1, page 109-110

[435] Surat ulMa'ida, ayah 44

[436] ad-Darar us-Sunniyyah fi lAjwabat un-Najdiyya, V. 1, pgs. 109-110

Ibn Ibrahim[437] رحمه الله the cousin of the Shaikh mentioned above, made special mention of those who abuse the statement of Ibn `Abbas τ,

"As far as the saying, kufr duna kufr (a kufr of a lesser degree), it is when the judge makes judgement to other than Allah with firm conviction that it is disobedience. He believes that the judgement of Allah is the truth, but he left from it in one matter. As far as whoever made laws in succession and makes others submit to it, then it is kufr, even if they said, 'We sinned and the judgement of the Revealed Law is more just.' This is still kufr that removes from the religion." [438]

The great Spanish scholar, Imaam al `Allamah Abu Muhammad `Ali ibn Ahmad ibn Sa`id ibn Hazm az-Zaahiri رحمه الله [439] narrated with great care on those leaving the judgement of Allah I and the enormity of such an act,

"Allah I has said,

[437] This was a great scholar (1311-1389 AH/1891-1969 AD), best known for his monumental work, alFataawa. The Shaikh spoke on everything from the drug Qaat all the way up to how to kill the apostates, the punishment for those who replace the Shari`ah and so forth. He is one of the scholars of jihaad that called for it and was not ashamed to do so. One of his students was `Abdullah ibn `Abdur-Rahmaan al Jibrin, who was his top student and is still teaching now (and also teaching Tawhid al-Haakimiyyah, like his teacher) has been distanced from the Major Scholars of the Peninsula for some of his views. The son of Muhammad ibn Ibrahim, Shaikh Ibrahim bin Muhammad حفظـه الله is the inheritor of his father's legacy and is in exile in the Peninsula for standing for the truth. This just shows us that not all of the `Ulama in the Peninsula are the lap dogs of the regime.

[438] Fataawa Shaikh Muhammad bin Ibrahim, V. 21, page 580

[439] 384-486 AH/994-1093 AD. One of the great Imaams of Spain, well known for the work above, in addition to his ***alMuhalla.*** He was not under the chair of any ruler and his fataawa reflect that.

اليوم أكملت لكم دينكم و أتممت عليكم نعمتي و رضيت لكم الإسلام ديناً

'Today I have perfected your religion for you and completed on you My favour and I am pleased with Islam as your religion.'[440]

"And Allah I has also said,

و من يبتغ غير الإسلام ديناً فلن يقبل منه و هو في الآخرة من الخاسرين

'And whoever chooses other than Islam as a religion, it will never be accepted from him and he will be from among the losers in the Hereafter.'[441]

"So whoever claims that something from what was in the time of the Messenger ρ is no longer judgement, and it changed after his death, then already he has chosen other than Islam as a religion. This is due to the fact that those acts of worship, judgements, things legislated as haraam, things legislated as halaal and incumbencies of the religion which were in his ρ time, are the Islam which Allah is pleased with for us. And Islam is nothing other than that.

"So whoever leaves anything from it (Islam), then he has already left Islam. And whoever speaks something other than that, then he has already spoken something other than Islam, no doubt about it at all that Allah has informed us that He (Allah I) has already perfected it (Islam).

"And whoever claims that something from the Qur'an or the trustworthy hadith is abrogated and he doesn't present an evidence or come with a text which he claims abrogated the

[440] Surat alMa'ida, ayah 3
[441] Surah Aali `Imraan, ayah 85

other, then he is a liar on Allah and calling to abandonment of the Shari`ah, so already he is a caller to the da`awa of Iblis and hindering the path of Allah, we seek refuge in Allah from that. Allah I has said,

إنا نحن نزلنا الذكر و إنا له الحافظين

'Truly we have sent down the remembrance, and we are preserving and protecting it.'[442]

"So whoever claims that it has been abrogated, then he has already told a lie on his Lord and has actually claimed that Allah did not preserve the remembrance after when it was sent down by Him." [443]

We should then understand that we have no excuse or leaf to hide the naked kufr of these leaders in our midst who simply will not stand for even the slightest bit of the Shari`ah being put into place.

---

[442] Surat ulHijr, ayah 9

[443] alIhkaam fi usul ilAhkaam, V. 1, p. 270-271

DEMOCRACY

THE ONLY REMAINING IDEOLOGY FOR SHIRK IN HAAKI*M*IYYAH

Of all of the different ideologies, many of them have been toppled or have passed into complete oblivion. Communism, in being shattered by the Muslim onslaught, had to pass into extinction and no longer exists as a feasible world power. Fascism was murdered with Benito Mussolini in Milan and National Socialism committed suicide with Hitler in his bunker. However, we have recently seen one of the remaining systems of kufr returning, its' ideology spreading out all across the earth, with the television being used to carry its' message.

In short, from the Islamic point of view, democracy is a great kufr. This is due to the fact that it is a system of insult to Allah I Himself with regards to legislation, to mankind with regard to transactions and selfishness to the human desires. This can be manifested when we analyse the four most serious issues of kufr in democracy,

1. The legislative system of democracy, which is totally kufr. The application of this law is also false. Every year a new law that is to be passed must be debated on for months before being written in to law. This is an attempt to try to check the possibility of flaws in this new law. But not long after it becomes part of the canon of that country's ruling system, complications arise that these doctors of law and politicians could not have foreseen. Anytime laws come from the mind of men, these complexities and disasters will arise, where the guilty will be held in honour and the innocent will be made to hang their heads in shame. In Islam, however, this drama would not take place. None other than the Originator of mankind formulated the laws of Islam. The Creator I has the best system and knows what is beneficial for man. His laws never need revising, nor are they too vague or riddled with loopholes that

criminals could speak their way through or plea bargain with in times of convenience.

2. The social system in a democratic society, which is based on liberalism with disintegration of the society. This comes with a moral laxity that infects the entire populous. Sexual mores are flouted and trampled upon, for according to democracy, the truth and right and wrong are relative components in any society, subject to change and modification at any time.

So although prostitution at one time may have been considered a great evil in these societies, new legislation is being passed to protect it since the truth and concepts of right and wrong are relative to time and place. The same holds true for the murderer, the child molester and the thief, who all rest under the safety of these regimes. From what Allah I has said to the Muslims that wrong and right are universal laws that have been in place ever since the creation of man. These laws are for the law and order of planet Earth, with the social aspect being looked after as well. Those who were considered by the prophets of old as criminals, like the homosexuals in the time of Lut υ, the thieves in the time of Shu`aib υ and the idolaters in the time of Nuh υ, are likewise still considered to be the same today. There is no change in the heavenly system of guidance that Allah I has perfected for mankind.

3. The financial system of democracy, which has three major types of kufr in its' own regard.

a. Collecting taxes unnecessarily from the wages of people instead of their savings, which is theft and eating their money without right. This is effectively taking their money before they even see it. Sometimes these taxes can reach 30%, although the Qur'an says only 2 1/5% can be taken from the savings, if it is

untouched for a year. And how do the people learn to trust a regime that takes from their hard earned wages without right?

b. The whole financial system is based on usury. Thus any upward mobility sought in the society has to be through usury. Those that refuse must face the future of being shut out and prevented from all advances promised to them. This is against all religions that have a heavenly origin.

c. Legalising whatever can be a source of revenue, even if it is haraam. This action has enslaved entire civilizations to such deplorable practices as prostitution, smoking, drinking, etc, which they use as tourist attractions for the wealthy people from their host nations to come and take advantage of. Gambling is also brought into the picture as a healthy form of raising wealth, but this puts the gross national product of any country in turmoil, while in Islam, anything haraam to consume is haraam to trade in as well.

4. The defense system of democracy is totally based on the fact of making organizations like the UN, NATO and WARSAW. Those who follow the rules, they will give allegiance to their superiors, even if the people are the biggest kuffar. This is a violation of the issue of Loving and Hating, which requires that loyalty should only be due to believers and disloyalty is a trait exercised with the enemies of Allah I. But here, the wicked and rebellious become complete equals with the righteous and chaste. Long and costly wars are also conducted for the benefit of worldly gain, not for self-defense or for the safety of mankind. In some cases, smaller and weaker countries are used as a testing ground for new technology by militarily superior nations (victims include Panama, Iraq and Zaire).

These are the four major issues, and although we are not making a research about democracy, we can still observe some of what makes up the body of this legislation. To learn something about this wickedness is necessary for the reader to see what he/she is up against.

Democracy has grown to become the most enduring of all the different types of shirk that oppose the Haakimiyyah of Allah I. Democracy is the call of self-divinity loud and clear, in which the rights of one group of people, who have put their idea to vote, have put their ideas and their decisions over the decisions of Allah I. This has two manifestations that it could represent,

1. The primary type of democracy is the pure and unholy legislation of Democracy, which like communism is absolutely atheistic and without the slightest connection to Divine Providence. This type of democratic machinery exists in countries such as the United States, who from their very founding arrogantly claimed that, 'There is no god but liberty and justice is her only prophet,' as was mouthed by Thomas Jefferson.[444] They lay no claim to matching with the laws of the Lord of the Universe and if they do, it is merely coincidental, nothing else.

2. There are also those systems that mix Islam and some democracy and claim that it is completely Islamic. This is the case with countries such as Saudi Arabia, Kuwait, Qatar, Bangladesh and so on. These ruling bodies represent the most dangerous type of shirk due to the fact that they have cloaked their sin with some Islamic laws so that they might be seen to be pious. This was especially the case with Indonesia, when in 1988 during the election campaign of Indonesia; the well-intentioned public had the scholars who opposed Democracy

---

[444] The Crescent Obscured, pgs. 7-21

jailed as 'Wahhaabiyyah (Wahhaabis)' and opponents to justice. This deception came with the fact that the naked kufr of democracy was wearing the negligee of Islamic Shari`ah in an attempt to look and appear legitimate in the eyes of the 150 million Muslims of this island nation. We need not wonder about the evils of democracy, however, as Allah I has already given us ample warning about these type of law systems,

و الله يحكم لا معقب لحكمه و هو سريع الحساب

"And Allah, He judges, and there is no one to hold back His judgement. And He is swift in taking account." [445]

إن الحكم إلا لله

"The Judgement/ Legislation is only for Allah." [446]

و لا يشرك في حكمه أحداً

"And He (Allah) does not associate in His legislation." [447]

In this ayah, Allah I is ordering all of creation not to associate in His Haakimiyyah, but Democracy is just that, association in His legislation.

These verses make it very clear that Allah I doesn't share with any human being in His legislative right. So the one that would seek some other legislation than that of Allah I, we can only ask him,

أفحكم الجاهلية يبغون و من أحسن من الله حكماً لقوم يوقنون

---

[445] Surat ur-Ra`d, ayah 41
[446] Surat ulAn`aam, ayah 57
[447] Surat ulKahf, ayah 26, Surah Yusuf, ayah 39

"Is it the judgement/ legislation of Jaahiliyyah (the times of ignorance, kufr and shirk) that they seek? And who is better than Allah in judgement/ legislation for a people who have certainty?"[448]

Any sincere Muslim is going to naturally answer no to the first question that Allah I asked in the ayah above and will say no one to the second issue that Allah I inquired about in the same ayah. This must be the case because Allah I attached yaqin (certainty), which is one of the seven conditions of shahaada, to the belief in His legislation alone. If one should answer 'someone else is' to the second inquiry, or 'yes' to the first one, then they have no certainty, which only leaves doubt, and by consequence, no imaan (the person becomes a kaafir).

After all, let us remember that when these kuffar invented democracy and other ideologies, they were filling a need in their society for law and order. They started by saying that they would hang the last king with the stomach of the last priest. But in Muslim societies, we had the pure light of our workable Shari`ah. We did not need to replace it with the garbage of people's thoughts and ideologies.

Allah I said,

أولئك الذين اشتروا الضلالة بالهدى فما تجلرتهم و ما كانوا مهتدين

"They are those who have purchased the falsehood with the guidance, so their way of earning is worthless and they are not guided."[449]

---

[448] Surat ulMa'ida, ayah 50

[449] Surat ulBaqarah, ayah 16

WHAT IS THE RULE FOR THOSE THAT ARE UNDER THE UMBRELLA OF DEMOCRACY?

As we explained it as the modern malady of our time, democracy has come to be one of the most vibrant diseases of our time, infecting everyone involved and destroying those who approach it as their saviour. In recent times, believers have become even more confused, as some groups of scholars and some regimes have declared democracy and Islam to be synonymous. The believers have hesitantly obeyed those in authority and have casted their votes at the ballot box, with even some of them entering into the parliaments, believing that they are enjoining the right and forbidding the wrong.

Those among the Murji’a (extremely dangerous people who tamper with the laws of Islam and try to erase them or explain them away) have rejoiced at this opportunity and have come with their mouths open to drink from the curdled milk of shirk that is being fed to them by the wet nurses of democracy. Those from among the takfiriyyah (takfiri groups) have thrown a party, declaring the voters as well as those entering the parliament to be kuffar. This has resulted in takfir on the Indonesian people, as well as just about any other confused Muslim who may have cast his ballot for an MP or any other governmental

representative. What needs to be put in perspective is the balance between these two incorrect groups based on the understanding of Ahl us-Sunna walJama`ah. This is necessary due to the fact the voter does not receive the exact same judgement as a ruler in certain regards, so this needs precision and elaboration. We will then split this into two matters,

a. What is the judgement on the one who enters the parliament?

b. What is the judgement on the one who is a voter or who is thinking of voting?

THE RULING REGARDING THE ONE WHO ENTERS THE PARLIAMENT

The issues regarding those who enter the parliament are one of the biggest controversies of our time and it is becoming a more heated debate with each passing day. This matter comes to us in light of the fact that in this time period there is no khilaafa and that the Muslims are no longer ruling the world with dominance. What has happened is that democracy and the kufr that surrounds it have become as inconspicuous as a black ant crawling on a black rock in the blackness of night.

When the Muslim lands were set upon in earnest in the time of Al `Allamah Muhammad ibn Ibrahim and Al `Allamah Ahmad Shaakir رحمهما الله, the legislation of other systems and parliaments were set up and established it over the heads of the Muslims. These two scholars responded harshly to this and fought against these systems with all of the might that they had. Those in the execution of kufr and those hindering the way of Allah I were labeled to be a group of kufr.

However, not every single one of them is doing the kufr that removes one from the religion. They hold the same judgement as a group of kufr and they are called Mala' (chiefs of the people). This is mentioned in the Qur'an and we have made ample reference to it previously. This is what they are called whether they like it or not.

When Allah I mentions the Pharaoh and the Mala', it was the ministers, senators and the people of parliament he was making reference to these ayaat. Even shaikhs and knowledgeable people, when they go to the parliament, they are part of the scenario. They are either traitors, or their knowledge is not that sound when it comes to tawhid. As we see in many countries, people who have immense knowledge about hadith, fiqh, the people that narrate, when it comes to the `aqidah, they are Ash`ari[450], extreme Sufiyyah (Sufis)[451] or kuffar. This just proves being a genius in one part of knowledge does not cause you to earn another type of knowledge.

---

[450] This group denies the names and attributes of Allah I, in addition to the corruption of other aspects of the religion.

[451] This group innovates things into Islam such as claiming knowledge of the unseen, practices of prayer not practiced by the Prophet ρ, in addition to claims that some of them (the sufi shaikhs) are divine or have divine attributes. This group, as well as the previously mentioned one, is having a resurgence now.

It is shocking enough to learn that even in al-Azhar, they teach the Ash`ari madhhab, which is deviant in belief with regards to the names and attributes of Allah I. This group has also gone astray in many other ways of teaching, and they have presented deviant knowledge as the knowledge of Ahl us-Sunna, which is a clear falsehood. Adding to that, most of these establishments (i.e. Umm ul-Qurraa', Muhammad ibn Sa`ud University, Madinah University, al- Azhar, etc), if not all, are just the Pharoah's establishment, which most often just give the degrees to those loyal to the Pharaoh, as is happening in Saudi, Egypt, Morocco and so on.

Thus the whole of the parliament is a group of kufr, but not everyone in the parliament is a kaafir. Thus,

1. There are those who believe in democracy as a source of legislation or an allowable legislation or they might not believe in it, but they legislate with it. These people are kuffar, no matter what other things they do. It does not matter how much worship they do or how many times they go on hajj, they cannot come an inch closer to Islam because of this action. Allah I has denounced their belief just by their existence in the parliament, by them defending democracy and their propagating democracy.

اليوم أكملت لكم دينكم و أتممت عليكم نعمتي و رضيت لكم الإسلام ديناً

"Today I have perfected your religion for you and completed on you My favour and I am pleased with Islam as your religion."[452]

And Allah I has also said,

[452] Surat alMa'ida, ayah 3

و من يبتغ غير الإسلام ديناً فلن يقبل منه و هو في الآخرة من الخاسرين

"And whoever chooses other than Islam as a religion, it will never be accepted from him and he will be from among the losers in the Hereafter." [453]

We emphasise again that these people are kuffar and not to be followed or accepted in any way, shape or form.

2. The second are those who are tricked or had bad interpretation given to them or introduced by themselves. They know democracy is kufr and not allowed in Islam, but they see it as a dangerous and a hazardous way to remove the Shari`ah little by little, through legislation. These people then decide they want to join the legislating panel without legislating so that they may stop any legislation that opposes the Shari`ah.

What has happened is that these people were also given or took on a certain type of ta'wil (interpretation). The interpretation that they understood is based on two evidences. The first of those is the man, who said to the Pharaoh,

و أن يك صادقاً يصبكم بعض الذي يعدكم إن الله لا يهدي و قال رجل مؤمن من ال
فرعون يكتم إيمانه أ تقتلون رجلاً أن يقول ربي الله و قد جاء كم بالبينات من ربكم و
إن يك كذاباً فعليه كذبه من هو مسرف كذاب

"And a believing man from the family of the Pharaoh who hid his faith said, 'Would you kill a man because he says, My Lord is Allah, and he has come to you with clear signs from your Lord? And if he is a liar, then his lie is upon him, and if he is truthful, then some of the disaster that he threatens you with will come to you. Truly, Allah does not guide the one who is a musrif (transgressing pagan) and a liar." [454]

[453] Surah Aali `Imraan, ayah 85
[454] Surah Ghaafir, ayah 28

Now let us try to understand this ayah. Here we have a man from the family of the Pharaoh enjoining the right and forbidding the wrong, and he is sitting on the panel of the Pharaoh. On this panel were the Pharaoh, Hamaan and Qarun (Korah). The Pharaoh was obviously the ruler and legislator, with Hamaan and Qarun being ministers in the government, thus being co-legislators. Even in spite of this fact, Allah I still called that believing man a believer, because the man was trying to enjoin the right and forbid the wrong and he wasn't legislating. But before he revealed his belief, he was in a group a kufr on the outside. Then when the revelation came, we knew that he was a believer. We use this ayah not to say that those in the group of kufr are perfect believers, but we use this ayah to show that we cannot call each and every individual in the parliament a kaafir, as the individual must be examined long before such a charge.
The man was trying to block their legislation, which was to kill Musa υ, as you can read in ayaat 24-26 in the same Surah mentioned in the footnote. This believer was doing this while on the panel with the interpretation that he could change things. This likeness would seem the same for the one that enters the parliament and he doesn't legislate. He seems to be doing the exact same thing as the believing man, although the believing man was the cousin of the Pharaoh. The one in the parliament is sitting on a panel of legislators and he is trying to block the haraam legislation.

This is why as believers, we try to use the benefit of the doubt before we jump and give a judgement. Let us not forget that Allah I called this person, one who hides his belief, a believer. What of those who announce that they are believers and democracy is kufr, and are trying to block the kufr in legislation? Shouldn't they receive more of a benefit of the doubt, although we disagree with the method and we also don't believe jihaad should be delayed for one second because of the benefit of the doubt that we are giving them. This is precisely

due to the fact that we know that their methodology is a dead end and orders for the Mujaahidin to stop the fitnah as in the methodology of jihaad is decisive, clear and proven to be authentic.

The next issue that they quote is an incident where when before he was commissioned with prophethood, Muhammad ρ concluded a treaty with all of the kuffar where there would be no aggression or wrong doing against anyone. This was shortly after the Prophet ρ had helped them put the Black Stone back in the Ka`aba. This treaty was called **Half ul-Fudul** (The alliance of Prosperity).[455] After he was commissioned by Allah I to be a prophet, Muhammad ρ continued on with the treaty, saying, ***"I was a part of an alliance, which I would not like to exchange for anything now."***[456]

Although this alliance was with no one but kuffar, because the outcome of it and the reason for the gathering was not contradictory to Islam, this is why the Messenger ρ endorsed it even after he was given prophethood. However, that is another interpretation, which is used by those who enter the parliament

---

[455] But these people should not be in charge of any fighting force, while they are in the parliament. This is because the blood of the Mujaahidin and the principle of jihaad should not be in the hands of traitors or fools. If we give them the benefit of the doubt, that does not mean that we accept them as leaders of the believers. We will tell them that the right place for them is to join the Mujaahidin. What happened in Algeria when the army leaders of the FIS who were negotiating with government is a very good example to show us that when you have lost the war, you have lost whatever gains you were going to make, and not one single kaafir law was taken back. The so-called Islamic army of the FIS handed itself over to be sorted by the government of that land for no Islamic reason whatsoever. It is a major sin for any fighter to take notice of those negotiating in the parliament. It is a different war altogether.

[456] Check the books of Sirah by Ibn Hishaam, Ibn Kathir, Ibn Ishaaq and others.

and disbelieve in democracy trying to match some outcomes that came from the treaty of the Prophet ρ. If this alliance was an act of kufr, or sitting with kuffar to judge on anything is an act of kufr, then the Messenger ρ would not have sat with them ρ. This is because all prophets are infallible from all forms of kufr and shirk, ever since they were born. So from this, we can gather that sitting with the kuffar to decide on a matter is not in and of itself kufr unless it collides with the Shari`ah. Some of those who are trying to come to a decision are joining to divert the discussion towards the Shari`ah. We repeat that we do not agree with this, but it is a valid interpretation to stop the foolish and crude verdict against them that they are kuffar through and through without exception.

Another way for the benefit of doubt in the matter of those interpreting is that they will argue that they are joining the parliament to tell the government that they represent the majority of people. And since the government is saying that the people, living in a democracy, should be able to determine things for themselves, they (the people entering the parliament) will only say to the government only what the people want and the people want nothing but the Shari`ah. Those who enter the parliament are people who want the rule to be just for Allah I. These people are attempting to embarrass kufr by using their own medicine against them.

This was the case in Algeria, when the people were given a vote. And when they voted to bring in the Shari`ah and demolish democracy, the false legislators were incensed.
However, the election didn't work, even though 98% of the people asked for Shari`ah. Allah I has told us that the only way He (Allah I) wants us to change the fitnah is by fighting, not compromising.

To emphasis the point, these people truly figure that they will enter, not make any laws, but whenever any new kufr legislation comes, they oppose it and veto it down. Although the aim is praiseworthy, it is a big haraam and major sin that they are doing.

And sometimes that haraam could also be kufr, although it starts with good intention. This is the case especially when the people who enter the parliament enjoy any privilege from joining these institutions, like receiving wages, or being given political immunity. The position they earn through this political immunity/protection in the parliament could be major haraam or major kufr. The reason is that it could be seen as a way of allying yourselves to the kuffar. Allah I said,

و قد نزل عليكم في الكتاب أن إذا سمعتم آيات الله يكفر بها و يستهزأ بها فلا تقعدوا معهم حتى يخوضوا في حديث غيره إنكم إذا مثلهم إن الله جامع المنافقين والكافرين في جهنم جميعاً

"And it was already revealed to you in the Book that when you hear the signs of Allah being disbelieved in or mocked at, then you are not to sit with them until they change the subject to other than that. Otherwise, you are like them. Truly, Allah will gather the hypocrites and the kuffar (unbelievers) in the fire together."[457]

Allah I in this ayah has called them kuffar and hypocrites, even though some among them are believers. They are still in the group of kufr. Those among them that are hypocrites but are judged as Muslims in this life will be with their kuffar counterparts on the Day of Judgement [458], for Allah I knew that

---

[457] Surat un-Nisaa', ayah 140

[458] Thus the judgement in this ayah cannot be used to call all of the people that enter the parlaiament as kuffar. Allah I referred to them as kuffar and hypocrites, thus there was a division made between them. Thus in this life,

they were internalising major nifaaq and their Islam was a mere show. Due to the fact that this action is actually rotating in between kufr and hypocrisy, it is better not to call every one in the parliament a kaafir. This way you give the benefit of the doubt for those who are not propagating democracy and are trying to use it to stop the propagation of kufr in legislation. Now it is important to note that it doesn't mean we agree with this method or we say it's right, for the only right method is:

قاتلوهم حتى لا تكون فتنة ويكون الدين كله لله

***"And fight them till there is no more fitnah (shirk) and the religion is completely for Allah in totality."*[459]**

We do not suggest that we violate their blood by calling each one of them a kaafir, but they are a group of kufr. All of them, the tricked, the kuffar, the apostates, the building and otherwise are all a target that can be hit by the believers and everyone housed under the roof of this building can be sent to Allah I (in other words killed) to be checked according to their intention.

We have to be disciplined and not use the pyramid scheme of takfir.[460] It is incumbent to draw the line of certainty between

---

we see them showing Islam, but internalising nifaaq (hypocrisy), we cannot call them kuffar until the impediments of takfir are examined for such an individual. Although the judgement for this person in this life from the apparent is a Muslim, Allah I knows that this person is a hypocrite. Again, that does not stop us from classing them as a group of kufr, as legislation is kufr.

[459] Surat ulAnfaal, ayah 39 and Surat ulBaqara, ayah 193

[460] The pyramid scheme way of making takfir is to make takfir on everyone associated with an act, which causes the domino effect. This domino effect leads to everyone being labelled a kaafir when not everyone is deserving of such a title. The model of such a takfir pyramid is as follows. The first one at the top are the rulers, in the middle are the scholars and the army and at the bottom are the common folk, which make up the base of the pyramid. By indiscriminately making takfir on everyone in the army and anyone in a position of authority, then the bottom, who are the common folk, suffer under

kuffar and Muslims, although Muslims could have munaafiqun (hypocrites), ignorant people and fools among them. It does less harm for one's Islam to include a kaafir amongst Muslims because of his hypocrisy and doubts than to call a Muslim a kaafir when he does not deserve the title and when there is not enough evidence provided [461]. This in turn does not mean that we neglect our duties to remove oppression and haraam, as the ayah quoted previously in regards to fitnah is the recipe for removing this oppression.

In conclusion, there is a lot of evidence that benefit of the doubt should be given to sincere Muslims using this incorrect method. And may Allah I forgive them and show them the guidance on the right path. Those who are declaring everyone kuffar with regard to this issue, may Allah I guide them to focus on matters more maturely.

THE ONE THAT IS INVOLVED IN THE ACT OF VOTING

The second category that must be made mention of are those who vote. This category again is one that has led to a lot of disputation among some of Muslims of our time and has led the takfiri minded people to go on a takfir rampage in regards to

---

the blow of 'guilt by association takfir' as well, either due to inaction or appearing to support the other parts of the pyramid. This will be tackled in the section on voting.

[461] This example could be found when the Messenger ρ knew the hypocrites by their names, but he still did not ask them to divorce their wives, even though they were known to be hypocrites by the Messenger ρ and some of the Sahaaba τ. This is due to the fact that they were within the community and the impediments of takfir could not be removed with regard to them.

voting. This has happened due to the misunderstanding of the impediments and conditions of takfir as well as the judgement on the apostate or one who disbelieves after his Islam. The one who wants to use the principles of takfir properly should first digest the chapter on what causes one to disbelieve after his imaan. Only then will the proper understanding of the religion be made known to him. Before then, the only thing the individual can do is make takfir without reason or without sufficient evidence.

With regard to those that are voting, they are three main categories,

1. Those who believe in democracy and they vote and they don't mind being elected or to make laws when they have a chance. These people are apostates. But we can only know them if they speak of their belief.

2. Those who vote due to the fact that they have been given a bribe, promises due to worldly gains and so forth. These people are most likely to be fussaaq (rebellious sinners) due to their position hunting, who are not only selling the religion for a miserable price, but also themselves.

3. These are the Muslims who are tricked by the evil scholars; jaahil (extremely ignorant) and unknowledgeable people or spokesmen for wrong who make evil look beautiful. These people have three groups among them.

a. Those who blind follow their scholars. They know the prohibition from Allah I and we mentioned it before, '**Don't sit with people who are mocking the signs of Allah.'** These people are Mushrikun (pagans) because they have done shirk of obedience by blind following their scholars and have advanced the words of their scholars over the Book

and they allow people to legislate next to the Shari`ah and are assisting in shirk.

b. These are the people who have been threatened by the scholars that if they don't vote, it means that they did not enjoin the right and forbid the wrong by their tongues. They have been tricked and their voice is not being used to aid the religion of Allah I. They have been threatened that if they do not vote and select religious people to represent them in parliament, then the Shari`ah will be even worse than it is now. These types of people are in error, but they are certainly not kuffar or hypocrites, due to the interpretation that they were given. May Allah I forgive them, as they need da`awa, education and du`aa for guidance.

c. These are the people forced to vote as sometimes happens in tyrannical regimes, in particular the Middle East, as the government will stop basic needs for any citizen if he does not vote. An example will be that he will not receive any medical or other assistance if he does not produce his voting card. Some may be deprived of licenses for their businesses or travel documents for them to go outside of the country. These kinds of people are forced and Allah I will deal with them according to their intention, just how much force was applied to them and whether it was avoidable or not.

But for us to judge these people, and to judge them whether or not they had the ability to avoid this issue or not, is not fair or just in the way of Islam. However, due to all of the above, it is very inaccurate to label all voters to be kuffar, such as the Takfiriyyah or the Khawaarij, without understanding the reality of people in the absence of the Shari`ah and any other alternative for those that are oppressed. Really, each case must be studied individually, if one wants to give a verdict about a certain type of people. That does not mean to delay or slow

down the struggle of the Mujaahidin because some of the people have been forced or they are astray. This should not hinder the fighters of Allah I from attacking places of voting or to destroy the meetinghouses of that new bid'a known as democracy, and whoever propagates it. But the brothers are not to target people without cause. If mistakes happen, the benefits of doubt should be given to the Mujaahidin and people should not accept any propaganda from the false legislators against those who fight in the cause of Allah I.

The Messenger ρ said,

"The best person in fitnah is a person who is riding his horse, terrorising the enemies of Allah and they are terrorising him. Second best after that is a person who lives in the mountains, worshipping Allah, and giving zakah and is waiting to die."[462]

There is no third category, therefore, those suffering, if they cannot fight, they should emigrate. We should understand that those who are fighting in the cause of Allah I, they are the fortunate and successful ones, and those who have emigrated and cleared the areas of fitnah, shirk and oppression, they are the saved ones. Those who could not do any of these two, they will be resurrected according to their intention and action but they should not be in the way or try to slow down or cancel the main struggle of ***Allah's Governance on Earth.***

[462] Related by Sahih Muslim.

DISTORTION IN PERSPECTIVE

We could not close the book, however, without making some mention of the abuse of Haakimiyyah and the major sins.

People should beware of the fact that with this issue of Haakimiyyah that the trustworthy scholars and the people in da`awa are trying to defend, there will be others who will try to defend their king or president. This should not be surprising, for it is a global phenomenon that takes place in the Ummah whenever anyone raises the alarm about the Shari`ah. To offset those who speak the truth, there will always be those who oppose them, working to obfuscate or take the attention off the issue of the time.

If this does not work, the words of the Qur'an will be twisted, the ahaadith ignored or explained away and the understanding of the Sahaaba τ reinterpreted. Those who seek to keep the tyrants from suffering any negative exposure have also turned to another tactic. This tactic is to distort the words of the scholars. It is understood and known that the Muslim Ummah respects and listens attentively to its' scholars. Thus whoever controls the people of knowledge or the knowledge will decide how the Ummah should react and what they should do.

The fataawa of the scholars of tawhid are taken by these twisters and re-interpreted, or it may be that they quote one half and delete the other. Then together with oversimplication and either mistranslation or boldly lying, the consorts for the Pharoah's court are actually able to neutralise the fataawa of the rightly guided scholars. For the sake of brevity, we will narrate only one of these classics in treachery.

The following example will be how the people corrupted and used out of context some of the words of the Fataawa of al `Allamah Muhammad ibn Ibrahim رحمه الله to neutralize his other fataawa about the shirk in Haakimiyyah when he said,

"The things which cause a person to apostate are divided into three divisions,

"The first division is that which the Messenger of Allah is known to have come with, and opposing what is known by necessity that the Messenger came with. So this is disbelief in that, regardless of whether it is in the foundations or in the secondary matters, and no excuse can be sought by what is known in Islam.

"The second division is to those to whom the proof is unknown. So this one does not disbelieve until the proof is established upon him, and the evidences are presented to him. After the proof has been established upon him, he only becomes a disbeliever if he has understood it. If he says, 'I do not understand,' or he understands but contests, then the proof should be clarified to him with a sufficient explanation.

"`Inaad (stubborn resistance) is not from the disbelief of the disbelievers (kuffar), rather it is a part of a branch of disbelief and the other parts are not stubborn resistance, and the scholars have not entered into that judgement because it is between him and Allah.

"The third division is the thing that involves inner thoughts. So this does not cause a person to apostate until the proofs have been established upon him, regardless of where it is in the foundations or the secondary matters…so we know from this that there is no takfir upon anyone except with the establishment of proof upon him. So the division is apparent, and the second is in its' place in this case, not the third.

"Then there are two things here, Firstly, the ruling upon the thing that it is disbelief. Secondly, the ruling upon a person

specifically is a separate matter. Then there is the takfir of a group, such as the Jahmiyyah[463]*, which is another thing."*[464][465]
The people seeking to protect the evil acts of rulers who legislate their own Shari`ah use this fatwa as 'evidence' to prove that tahkim (judgement) and legislation (tashrii`) regarding the Shari`ah are the exact some thing. They also sought to twist this fatwa in order to have the Muslims believe that there is no kufr except by takdhib (denial of the tongue or heart).[466] However,

---

[463] These are a group of people how distorted the names and attributes of Allah I. In addition to this, they are Murji'a in regards to the way of kufr and imaan. They believe that the kufr is only established if the person announces it by the tongue. They have many other contradictions to the way of Ahl us-Sunna, which is why Shaikh Ibn Ibrahim رحمه الله referred to them as a group under takfir.

[464] Fataawa Shaikh Muhammad ibn Ibrahim, V. 12, page 190-191

[465] We should also notice the context that the Shaikh رحمه الله is speaking in. This section was actually taken from his fataawa in regards to the issue of the different forms of takfir. Thus the people of desire have actually even changed the context and twisted the meaning of the statement out of context.

[466] This statement was also made on the tongue of an individual by the name of Khaalid al `Anbari. He fulfilled a great fantasy for the salafis when he declared that there is no kufr except by takhdhib (actual spoken denial), which made those who wish to hide the evil of their satanic rulers roll over and over with glee. He authored a book and entitled that work, ***alHukm bi Ghairi Ma Anzal Allahu (The Judgement by other than what Allah sent down)*** and made his statement on p. 131. The writer actually hurls a lie against al `Allamah `Abdullah ibn Abdur-Rahmaan alJibrin and al `Allamah Muhammad ibn Ibrahim رحمـه الله, in which he said that al Jibrin, the foremost student of Shaikh Ibn Ibrahim رحمـه الله, made a difference between action and belief in legislation by other than what Allah I sent down.

This caused a storm of protest in the camp of Ahl us-Sunna walJama`ah when they heard this innovated concept with regard to the understanding of kufr and imaan. Even the salafi establishment that al`Anbari is part of felt the need to come out and distance themselves from him. The council of major scholars of Saudi Arabia formally came out and issued a statement against him,

they have made a gross blunder. The quotes above, if looked over by the reader, are only in regards to judgement (tahkim), in which the person has gone out in some matters or just one matter. This is why it is necessary to establish the hujjah (proof) on such a person, for it may be that he is disobedient or it may be that he is a kaafir. This is why the hujjah (proof) must be established.

But as for the person, who legislates laws, we should implement the fatwa of Muhammad ibn Ibrahim رحمه الله in this regard,

"As far as whoever made laws in succession and makes others submit to it, then it is kufr, even if they said, 'We sinned and the judgement of the Revealed Law is more just.' This is still kufr that removes from the religion."[467]

The Ummah should beware of those that seek to twist words of Allah I, His Messenger ρ, the Sahaaba ψ and the scholars of the Ummah that write the truth based upon the previous three sources. We must be vigilant and we must always consider the words that the scholar used when he made his ruling. The second thing is that we should never give these people any

---

calling his book dangerous and a lie and demanding that the author make repentance to Allah I and relearn the religion. They also insisted that the book not be read, redistributed or taught from. This was not due to the fact that the Salafiyyah movement wanted to enjoin the right and forbid the wrong, for they as well have misread and over-explained the words of Muhammad ibn Ibrahim رحمه الله and also slandered Shaikh Ibn Jibrin in the past.

The issue was the way that al`Anbari made his bid`ah; there was nothing subtle about it, it was obvious and easily detectable, and since the salafiyyah have a reputation to protect, they could not have allowed this. This is why they issued these statements, which will occur in their original Arabic in the appendices.

[467] Majmu`a Fataawa Shaikh Muhammad bin Ibrahim, V. 21, page 580

leverage with ourselves. This is why we should always be attached to the evidence, and not to the scholars. We should be linked to the truth and respect the scholars because they speak the truth, but we should not respect the truth because of the scholars.

This keeps us from falling into the trap of blind following, which is what these thieves want. As long as they can do this, they know that they can deceive the people. But if we stick to the primary sources, the Qur'an and the Sunna, we will never go astray. And may Allah I keep us guided on the path of light.

CONCLUSION

In ending this work, we are able to draw up and come to the following conclusions,

- The Earth requires constant maintenance and the state of things for this planet is alarming. Pollution, food shortage and warfare are making alarming changes in the planet that we know and this Earth that we live on is crying out for justice.

- The rule of Allah I must be supreme on this planet. If not, there will be shirk in all different forms and shades and most of the people who are too weak to even defend themselves will succumb to the kufr that is advancing into every home inch by inch. Allah I is the only one that must be worshipped on Earth, and the only way to guarantee this is to control all the land masses, air and sea and give Islam the proper channel to be heard by the people.

- It is only natural for the Shari`ah to rule over the entire Earth and to be the sole law for the land. In every aspect it is the most practical and merciful for everyone, animals included. In the way of Allah I, there is no punishment that does not fit the crime and the good of the community and the human race is upheld without interfering with our individual obligations and rights. The Shari`ah has been sent to preserve the five most important things, 1. Sanctity of faith 2. Sanctity of the body and the soul 3. The sanctity of honour for the people 4. Sanctity of the property of people 5. Sanctity of the mind and intellect of people.

- Implementing and desiring for the Shari`ah to be dominant goes hand in hand with belief and certainty in the Messenger of Allah ρ. One who cares about Islam and believes in the message of Islam wants the ruling of Islam to

be supreme. The opposite of this would be that one who does not want Islam to be supreme is not certain in the mission of Muhammad ρ nor is he happy with Islam, for anyone who believes in something supports it wholeheartedly, not just with speech and no action.

- The legislation of Allah I falls into three categories, legislation, judgement and execution. Rulers in our midst fall into the same three categories. One who legislates in the laws of Allah I in the first category is a kaafir outside of the fold of Islam. The one who is judging in the matter of the law of Allah I could be either a faasiq (rebellious sinner) or a kaafir depending on his condition and the frequency and severity of what he did. The one tampering with the affairs of execution could wear the title of zaalim (oppressor) or kaafir, after of course investigating the condition of the individual. Any ruler from yesterday, today or tomorrow is subject to this understanding. There is a definite relationship between the rulers and the Shari`ah and a ruler who doesn't fit the criterion for this relationship should not be ruling in matters small or large.

- The laws of Allah I and the tawhid that He revealed are twins of each other. One who insists on going against the laws of Allah I is suspect in his tawhid and the one who defends his falsehood with the sword has renounced tawhid.

- Standing against the Shari`ah or not judging by what Allah I sent down has its' degrees of sin, as not everyone who is judging is doing the same sin. Some are doing a high degree of kufr, while others are committing one of the lower degrees. The way to know who is who is to study the rules on what causes one to cease being a Muslim after his/her Islam. For every person that goes against the Shari`ah, there

are certain sins that he has done, and owing to his frequency or the level of what he has done, he may be judged by the degrees of different sins, such as kufr, shirk, nifaaq, zindiq, zulm and fisq.

- The stubborn amongst people that stand against the Shari`ah and defend themselves with the sword when they are attacked for fabricating a Shari`ah, they are the Tatars of the modern age. These Genghis Khans of the current age have their al-Yaasiq, which is the decree of a king or the legislation of a president or Prime Minister. In their refusal to rule by the Shari`ah and to actually insist on drawing up their own legislation, their kufr is clear and they have exited through one of the doors of apostasy out of the religion.

- The Sahaaba ψ, who are our teachers in this regard and the first scholars of the Ummah, were very stern on those failing to rule by the Shari`ah, and in the case of legislation, ultimately declared it major kufr. The scholars have not abandoned us in this manner, and have agreed unanimously, along with the rest of the Ummah that it is major kufr and shirk for anyone to replace any the Shari`ah or to rule with other than the rule of Allah I all of the time. In fact, even ruling by a past Shari`ah, such as the Torah or the Injil is major kufr by ijmaa`. And it is not just judging and legislating that is major kufr. Even allying oneself with the enemies of Allah I can be a sort of allegiance to kufr and the kuffar. And this again is major kufr.

- Without doubt, those aligning themselves with the kuffar, the legislators, the rulers caught in the execution and the judges in the courts of these modern days Pharaohs are all to be physically removed. They are to be fought and there is to be no truce made or no agreement signed on. They are to step down from power or be removed. If they are killed, so

be it. Those that are in the target area are not targets, but if they are in the way or used as a shield of kufr, they must know that they are in danger. Their only alternatives are to join the fight, emigrate from that area or at least keep far from the fighting so as not to be used as obstacles by the tyrants who are at war with Allah I.

- The scholars that support these regimes are a group of kufr, but not every single one is a kaafir. Among them are some fussaaq (rebellious sinners) and jaahilun (ignorant ones) of the basic understandings of imaan and tawhid. Some are attempting operations of reform from the inside, but the war is not to be stopped just for them. Those who die in the process of trying to reform the inside of these regimes are martyrs and will be resurrected according to their intention. Those who insist on defending evil are part of the group of evil. They can be targeted as a group and if they are hit in the crossfire, they have only themselves to blame. They are either to speak the truth against the regimes and die with honour or to emigrate out of the area, so as not to be designated as targets. Only then can they truly be safe from the vanguards of Allah I.

- Those who have something to lose at the thought of their regimes being overthrown have used Imaam at-Tahaawi's رحمه الله words for their own interpretation, playing with them as they wish. However they twist them though, careful study will reveal that the words were general and had a context. They cannot then be used as panaceas for the disease of shirk in legislation. At-Tahaawi's رحمه الله statement read in context makes the claims of the defenders of widespread kufr in the Muslim lands at once baseless.

- Tawhid al-Haakimiyyah is from Tawhid and is mentioned in the Qur'an at length. It is directly associated with Tawhid and those who refuse it have distorted some of the names of Allah I in their attempt to hide His names that are directly linked to Shari`ah and legislation. Those who label Haakimiyyah as a new bid`ah display their supreme ignorance of the Qur'an, as well as the fact that some of them use terms that are themselves new, such as 'Tawhid ar-Rububiyyah,' 'Tawhid al-Uluhiyyah,' 'Tawhid al-Asmaa' was-Siffaat,' '`aqidah', 'Usul ul-Fiqh', 'Ahl us-Sunna walJama`ah' and so on.

- Haakimiyyah is associated with the Shari`ah, so when the Shari`ah is violated the Haakimiyyah has been transgressed. To see such a violation of the law of Allah I as a trivial manner is to say that Allah I was overreacting when he called those who judge by other than His Shari`ah kuffar. It is also to call Allah I an extremist when he transformed some of the Jews into apes and swine when they transgressed the bounds of the Sabbath. This cannot be the case and those that insist in this manner are fooling no one but themselves and may hasten some punishment on themselves for defending the savages that hinder the way of Allah I.

- Of all the new ideologies that have come and gone, right now democracy is the most longstanding. With its' liberty and justice for all and its' egalitarian promises for women, it is at once an enemy to Allah I and to Islam, as there can not be equality between two different creatures in the way of roles in society. Those under the influence of this movement have been deceived and told that when they go to the voting booth, they are enjoining the right and forbidding the wrong. This is an incredible deception from the Shaitan. Those that commit this act are a group of kufr, with some being kuffar

(those that believe it is like, superior to or deserves to have the same ground as the Shari`ah in a court of law), some fussaaq (rebellious sinners) and some who were forced that are excused by Allah I and others who will have their intentions brought to light on the Day of Judgement. Those who enter the parliament are also divided into the same above categories, and should be aware that if the Mujaahidin target the buildings used for these absolutely unlawful and satanic activities, there is no guarantee that their lives will be preserved. The only way for them to ensure their safety is to leave these houses of legislation and either join the struggle, or avoid these areas. These are their choices.

- There are still today people who will use the words of scholars that people respect to have them blind follow kufr. This will not be accepted in any regard. Scholars should only be followed when they speak the truth. When they speak rightly, they should be rewarded and followed in their rulings. When they speak wrongly, they should be chastened and should not be obeyed in that ruling. This is how our principles operate in Islam. We are linked to the truth, not the person who said it, whoever he may be. This is the only way to break this cycle of scholar worship. The truth is to be taken from the Qur'an and the Sunna based on the interpretation of the Sahaaba τ and the ijmaa` of the Ummah.

- There are many obstacles blocking the advance and implementation of the Shari`ah besides the evil scholars, such as the fact that there is no proper leadership for sincere Muslims fighting for the Shari`ah. And when there are, they are either hindered from ruling, or they are killed, jailed or have rumours hurled against them. However, it has been proven from history as well as religion, that once the leadership disappears, it can only come back through a struggle, and a vicious struggle. That's why we welcome

struggle and any battle against kuffar and apostates. Only then will believers know sincere leaders and who to follow and support.

- Unfortunately, most of the youth, intellectuals and human assets have fled to the West due to the pressure and oppressions in the Muslims lands. They have either tried to get better maintenance or to try to get a better life. They spend most of their life in the margin of history, not willing or able to do any change. These people need da`awa and inspiration to support an Islamic struggle. Once they are given the da`awa, they will become inspired and will be willing to work and will not give up. These people can easily become the great torch bearers of Islam

- The problem that is also hindering us is the blind following of the way of life of the kuffar in the way of eating habits, dress, religion, speech, education, sexual perversions and many other horrid things. This has to stop, due to the fact that this is the product of the master-slave scenario that drugs the Ummah into this destructive situation. It is important that the Muslims distance himself from the kuffar way of life and use the guidance of the Messenger ρ and use the manners of life to become a teacher, teaching them the manners and the habits of Islam, which is a very high step of independence and confidence. The answers to our problems are in our religion. Every proper veil over the face, proper beard and clothing is a step forward to the Islamic propaganda and its' influence.

- Fear, laziness, stinginess and rancour is actually still at a high level in our Ummah to the point that you can feel some people working in da`awa are not supporting their brothers due to such diseases in the heart. We have to enjoin the good and forbid the evil amongst ourselves as people working for

da`awa and encourage sacrifice and always be at the front saying the truth and defending the truth. We should not use self-interests to block the da`awa of Allah I if it comes from someone that we dislike. We shouldn't mind, as long as it's the truth. All the leaders and groups must focus on that matter or we will never have a major success, enjoying group work or the reward from the group work. We will also encounter disgrace in the front of Allah I

- The reformers of the Ummah have been labelled as Khawaarij before, for example Ahmad ibn Hanbal رحمه الله in his time and Ibn Taymiyyah رحمه الله during his life. These terms have even been hurled at reformers by sinful khalifs, when these great men tried to reform their rulers. But the people who wanted to reform Mu`awiya τ and `Ali τ and were calling these two Sahaaba τ kuffar were mistaken, because the Shari`ah was fully intact, and Muslim sanctity was protected. That is why those who were calling them kuffar were mistaken and thus deserved the title of Khawaarij.[468]

- However, the reformers today cannot be given such a label when secularism is in control and man-made law is dominating and destroying people's lives. Propagating zina, obscenity, gambling and the like does this destruction. Protecting all of that by a bunch of crooks calling themselves judges, police forces and the army who are supposed to protect the Shari`ah, not dismantle it. As soon as the reformers of our time try to defend the Shari`ah and to push the shirk of legislation away from the Ummah, evil scholars call them Khawaarij and deviant from Ahl us-Sunna walJama`ah. Infact, these armies of the regimes are

[468] For more information, please see our research, ***The Khawaarij and Jihaad.***

themselves Khawaarij, for they fit the main characteristic of the Khawaarij, which is killing the Muslims and leaving alone the pagans. These regimes also fulfil this attribute by the fact that they have entered into an indefinite peace treaty with the Jews and Christians.

- It is then proven that these evil scholars have spent their lives to defend secularism and man-made law and to make a safeguard for the fitnah that men and women are subjected to daily. These scholars then wail crocodile tears for the belief of Ahl us-Sunna walJama`ah and call the reformers Khawaarij. We ask these shaikhs and their supporters, is it right in the belief of Ahl us-Sunna walJama`ah to give the right of legislation to a group of people who call themselves a parliament? We conclude that we should distance ourselves from these people and not learn any knowledge from them. For whenever they give any correct knowledge, they use it to distort some important knowledge and help the rulers.

- It is important for the people of da`awa to always stay persistent about demanding the Shari`ah, be they men, women, children, knowledgeable and unknowledgeable. What this action does is to expose the government scholars as the unfit protectors of the Shari`ah that they really are, due to the fact that the Shari`ah is disintegrating day by day and there is complete silence from these senior scholars. We will not listen to the blind followers of these scholars who tell the average person to keep quiet for the reason that they don't have knowledge. We all have responsibilities as Muslims and what we are defending and talking about is crystal clear and from the basic knowledge of Islam.

- Absolute secrecy in Islamic work will resort in no work or no useful work. This has to do with that points of friction

between kufr an imaan will not be there. If the Islamic work stays secretive, the kufr will remain as it is and the Islamic movements cowering in the shadows will remain as they are. Things must be done outright. If you pledge to do all things in secrecy, nothing will ever be achieved and the people will do nothing, especially enjoining the right and forbidding the wrong, which has to be as loud as possible.

- Some groups that work for Islam and their adherents differ about particulars or methodology to establish the Shari`ah. However, they still should be unified in their enmity towards those who are tampering with the Shari`ah. They should also be unified and defend anyone standing firmly for the Shari`ah. We should cooperate with one another against evil regimes and their scholars not defending the Shari`ah as fiercely as they are defending secularism and other evil ideas.

- In general, Islamic groups should not allow the Shaitan to use their differences to cancel each other's efforts to bring about the Shari`ah. Always remember, once Shari`ah is applied, differences will fade as we all agreed to listen and obey to any legitimate Islamic ruler who is ruling by the Shari`ah. Let's all be disciplined and tolerable until that end is met, and may Allah I help us to establish His I religion, as He I has informed us,

و المؤمنون و المؤمنات بعضهم أولياء بعض يأمرون بالمعروف و ينهون عن المنكر و يقيمون الصلاة و يؤتون الزكاة و يطيعون الله و رسوله أولئك سيرحمهم الله إن الله عزيز حكيم

"And the believing men and women are helpers to one another. They order with what is right and forbid what is wrong. They establish prayer and they give zakah. And they

obey Allah and His Messenger and these Allah will have mercy upon them. Truly, Allah is All Mighty and All Wise." [469]

- In ending this work, we would like to put forward that Tawhid al-Haakimiyyah is one of the most important issues of this time. For in this term is the preservation of our Ummah, which is through guarding them under the umbrella of Islamic law. This principle rests upon the bedrock of resistance against the oppression of those rulers that line their pockets with the natural resources that Allah I left as an inheritance for the believers and as a right for the poor and indigent ones among them. We therefore ask the reader to always stay neutral to the evidence, and not to sacrifice the principles of Allah I when we know what He has said and legislated in a particular matter.

- The reader and the seeker of knowledge should never despair of the help of Allah I, as it comes from all angles. It is important to note, that although this is a particularly dark time in our history, with the necessary action put forward by the believers to remove that darkness, we will soon be bathing in the sunshine and warmth of the banner of the Shari`ah. We will then receive the protection due to us under the merciful and benevolent regime of Allah I. May Allah I establish you and us firmly on the truth and make us from among his elite soldiers to serve Allah's I Governance on Earth.

---

[469] Surat ut-Tawbah, ayah 71

FREQUENTLY ASKED QUESTIONS ABOUT HAAKIMIYYAH

Question: Is it lawful to join the militaries of the kuffar for training?

Answer: Yes, but his is if it is the only alternative. It may also be the case if you are there to train or to give da`awa. Once you finish the training programme, be it bootcamp or whatever training you wanted to receive, you must leave. You should not be caught where you are called to active duty to fight Muslims in another location.

The same holds true for the da`awa. If you are doing da`awa to bring some of the soldiers of Shaitan to be the soldiers of Allah I, then you should complete your da`awa and be firm but just. Once you have realised your objective, whether people respond to the da`awa or not, then the military is to be evacuated. To stress again, if a time should come where they demand that you should fight Muslims, you should not obey.

Question: What about the fatwa of Ibn Kathir رحمه الله regarding the Tatars that was used in the book? Some have stated that it applies to just the Tatars and cannot be used now to refer to those that are ruling over us. Is this true?

Answer: This is a great deception from Iblis and must be addressed immediately. As far as the fatwa of Ibn Kathir رحمه الله, it is clearly universal and there is no getting around it. But we will quote the first part and let you observe how it is being abused,

"And He I is denouncing the one who left from the judgement of the universal law that is established on every good and forbids from every evil. And it is the true justice that has no equal to the mere ideas, sheer desires and corruptions which men made without any established evidence from the Shari`ah of Allah.

Just as the people of Jaahiliyyah judged by it from their astray ideas and ignorant thinking from what they innovated and concocted with their ideas and sheer desires, the Tatars also judged from the royal politics, taken from their king Genghis Khan who concocted and made up for them a collected book from the judgements which were put together from several shari`ahs, from Judaism, Christianity, Islam and others.

"And in it (the book of Genghis Khan) are a lot of judgements taken merely from his sheer thinking and desire. Then it came to be in his sons a followed law, and they preferred it to the legislation of the Book of Allah and the Sunna of the Messenger ρ.[470]

Thus here we have Ibn Kathir رحمه الله declaring the evils of the Tatars; however, the judgement was applied to all people who legislate when Ibn Kathir رحمه الله made his next statement,

*"So **WHOEVER** does that, then he has become a kaafir, and it is compulsory to fight him, until he returns to the legislation of Allah and His Messenger. SO NO OTHER THAN HE (ALLAH I) SHOULD JUDGE IN ANY MATTER, BE IT SMALL OR LARGE."*[471]

He also said in another place,

*"**WHOEVER** leaves the Shari`ah of Muhammad ρ and is ruled by a Shari`ah of the past (e.g. Torah, Injil) he is a kaafir by the consensus of the Muslims. What about those who are not ruled by an abrogated Shari`ah, but al-Yaasa, and he puts it before the Shari`ah of Muhammad ρ? Certainly, **WHOEVER** does*

[470] Tafsir Ibn Kathir, V. 2, p. 67
[471] Ibid.

that, he becomes a kaafir unanimously, by the consensus of the Muslims. [472] *Allah says,*

أفحكم الجاهلية يبغون و من أحسن الله حكماً لقوم يوقنون

'Is it the judgement/ legislation of the Jaahiliyyah (Days of Ignorance) that they seek? And who is better in legislation than Allah for a people who are certain?' [473]

فلا و ربك لا يؤمنون حتى يحكموك فيما شجر بينهم ثم لا يجدوا في أنفسهم حرجاً مما قضيت و يسلموا تسليماً

'No, by your Lord [O Muhammad ρ], they will not believe until they make you the judge in what they differed in, then they do not find in themselves any dispute from what you judged and they submit completely.' [474]

Allah has spoken the truth in this regard." [475]

If it is consensus regarding the kufr of leaving the rule of the Shari`ah of Allah I and being ruled by the Shari`ah of the past, what of the one who is being ruled by a fabricated Shari`ah like al-Yaasiq, UN conventions or any other innovated, fabricated and man made laws? This is the ruling of Ibn Kathir رحمه الله and the Muslims in general. Those that do not like this ruling should not argue with the producers of this work, but they should go to Syria, speak to Ibn Kathir رحمه الله in his grave or just go ahead and call him a liar. In this case they have to also stop by the grave of

[472] No Muslim should differ with this consensus except the nowadays salafiyyah ('salafis') and sufiyyah (Sufis) who have 'created' an Islam for themselves.
[473] Surat ulMa'ida, ayah 51
[474] Surat un-Nisaa', ayah 65
[475] al-Bidaayah wan- Nihaayah Vol. 13, p. 119

his teacher Ibn Taymiyyah رحمه الله and call him a liar as well, for his ruling is the same as his student in this matter.

Question: There has been a lot of talk about struggle against the tyrants. But if we struggle against the tyrants to have the power to dominate, there will be great destruction in the Earth. All the Muslims could get killed or at least a large group of Muslims in one area. This is very serious. And isn't it our first objective to preserve Muslim life and to not bring harm to ourselves when we don't have to?

Answer: We must strive irrespective to the threat on our lives or on our well-being. As far as the fear of Muslims being completely exterminated from the Earth, this would never happen, as there will be Muslims all the way until the Last Days. Thus to believe that all Muslims will be destroyed before then is mistaken. In respect to a large number of Muslims being killed in one area, this is no consequence for us, for we are to speak the truth regardless of the danger to others or ourselves. Nothing should be an obstacle for the advance of the truth. This is why Allah I narrated to us the story of the People of the Trench in Surat ul-Buruj.

Their king for the fact that they believed in the one that came to tell them about Islam exterminated those People of the Ditch. There was no other reason for them to be killed except that they were Muslims. When they were being killed, they voluntarily went forward, accepting martyrdom for their faith rather than living for apostasy. This is why Allah I was so pleased with them that He said regarding them,

أن الذين أمنوا و عملوا الصالحات لهم جنات تجري من تحتها الأنهار ذلك الفوز الكبير

"Truly, those who believe and do righteous deeds, they shall have the gardens of Paradise, under which rivers flow. That is the great salvation." [476]

Thus in spite of the terrible circumstances that befell them in the end, Allah I was still pleased with them. Thus, to us what often appears, as failure is not always failure. Many of the Prophets υ sent to the House of Israel were killed, but that doesn't mean that their message failed. Even though they were killed, when they attempted to present the information and insisted on speaking the truth, even though they knew what the consequences would be, that is what made Allah I pleased with their effort.

What we as Muslims have to stop doing is worrying about the *'what if we fail'* and thinking about the fact that either way, whether we are killed or not, jailed or free, if we speak the truth, we will always be victorious. This is how success should be measured, and right now the Ummah is falling short. Everyone is thinking about, *'What if I lose?'* and no one is concerned with, *'I am going to try to win and be victorious.'*

You can even see from secular revolutions, that people who have gone against the ruling regimes and risked their lives, they have been successful. This has been the case with such secular revolutions as those that took place in Cuba, Argentina, Afghanistan, Iran and other nations. So it should not be the case that the Shaitan should divert you from the truth. Allah I has said,

إنما ذلكم الشيطان يخوف أولياءه فلا تخافوهم و خافون إن كنتم مؤمنون

[476] Surat ul-Buruj, ayah 11

"It is only Shaitan that is trying to scare you with his supporters and friends, so do not fear them, but fear Me if you are believers."[477]

Question: What if those who legislate did this act without meaning to become kuffar or to change the religion, but they did so out of good intention?

Answer: The Qur'an has told us and we don't need to go very far in this matter. There are some people that will do mischief and when they are confronted, they will say, *"We didn't mean to do it."* But Allah I has said,

و إذا قيل لهم امنوا لا تفسدوا في الأرض قالوا إنما نحن مصلحون. ألا إنهم هم المفسدون ولكن لا يشعرون

"And when it is said to them, 'Do not do mischief in the Earth,' they say, 'We are only peace makers and reformers.' Truly, they are the mischievous ones, but they don't comprehend."[478]

Even further and more specific was what happened in the battle of Tabuk when some people sat together and started mocking the knowledgeable Sahaaba τ. Then Allah I revealed the ayah,

و لإن سألتهم ليقولن إنما كنا نخوض و نلعب قل أ با لله و آياته و رسوله كنتم تستهزئون لا تعتذروا قد كفرتم بعد إيمانكم إن نعف عن طائفة منكم نعذبكم طائفة بأنهم كانوا مجرمون

" And if you ask them, they will say, 'We were only joking and passing the time.' Say, 'Was it in Allah, His verses or His Messenger that you were mocking (istihzaa')?' Make no

[477] Surah Aali `Imraan, ayah 175
[478] Surat ulBaqarah, ayaat 11-12

excuse about it, you have disbelieved (become kuffar) after you had imaan (belief). If we pardon a group of you, surely we will punish a group from amongst you, for they were the criminals.' " [479]

Now here you find that Allah I endorsed what they said and Allah I said, *'You have disbelieved (become kuffar) after you had imaan.'* So Allah I accepted that they were believers before the act. And only due to this action did they become kuffar. The ayah also explains that they did not mean to become kuffar and that they didn't think this action would not render them kuffar, but it did.

Ahl us-Sunna walJama`ah all agree that if someone did the action of kufr (major) willingly, knowingly, he becomes a kaafir even if he did not intend to become kaafir.

Shaikh ul-Islam Ibn Taymiyyah رحمه الله has informed us,

"In general, whoever says or does what is kufr (major), he becomes a kaafir, even if he doesn't intend to become a kaafir, as no one intends to become a kaafir, except whom Allah wills to become a kaafir (he means very few and very rare cases)." [480]

Imaam Abu Ja`far Muhammad ibn Jarir at-Tabari رحمه الله said in his tafsir regarding the following ayaat,

قل هل ننبئكم بالأخسرين اعمالاً. الذين ضل سعيهم في الحياة الدنيا و هم يحسبون أنهم يحسبون صنعاً

"Say, 'Shall We tell you the greatest losers in their deeds? Those astray one whose efforts have been wasted in this life

[479] Surat ut-Tawbah, ayah 65-66
[480] al-Saarim alMaslul, p. 177-178

while they thought that they were acquiring good by their deeds!' " [481]

"This is one of the very clear evidences to prove the wrong statement of those who claim that nobody becomes a kaafir unless he intends to do the kufr (major) after knowing of the tawhid. And that is due to the fact that Allah has told us in this ayah about those who by their actions and works in dunya have gone astray, worthless and they used to think that they are righteous in their actions." [482]

Imaam Ibn Hajar al`Asqalaani رحمه الله said about this ayah,

"We can conclude from this that some of the Muslims will go out of the fold of the religion without them intending to do so and without intending to choose another religion than Islam." [483]

The great Hanbali scholar, Shaikh ul-Islam al `Allamah `Abdullah ibn Qudaama al-Maqdisi [484] رحمه الله has said,

"The apostasy in most occasions, it happens due to a shubha (doubtful/unclear/ambiguous suggestion from Shaitan) being exposed to him." [485]

---

481 Surat ul-Kahf, ayaat 103-104

482 Jaami` ul-Bayaan, check under the tafsir of this ayah

483 Fath ul-Baari, V. 12, p. 267

484 541-613 AH/1146-1216 AD. The famous `aalim from Syria, he was the torchbearer of Hanbali fiqh in his time. His book al-Mughni, catalogued consistently all the rulings within this school of though, as well as differences that existed among the Hanbali scholars. What is so unique about this collection is the fact that the other three imams (Imaam Maalik, Imaam Abu Hanifa and Imaam ash-Shaafi`ii) are also quoted extensively.

485 Al-Kaafi, p. 158

Imaam al `Allamah Muhammad ibn Isma`il al-Kahlaafi as-Sina`aani [486] رحمه الله also said,

"If you say that they are ignorant, and they don't know that they are mushrikun (pagans) with what they are doing, I will answer you that the knowledgeable fuqahaa' (Islamic jurists) repeatedly mentioned in the books of fiqh in the chapter of apostasy that whoever speaks with the word of kufr (major)[487], he becomes a kaafir even if he doesn't intend its' meaning. This is clear evidence that people who do this, they don't know the reality of Islam or the core of tawhid. Therefore, they become true kuffar." [488]

Everyone knows that legislation against the Shari`ah is nothing more than verse of kufr compiled together. And Allah I has said,

أم لهم شركآء شرعوا لهم من الدين ما لم يأذن به الله و لو لا كلمة الفصل لقضى بينهم و إن الظالمين لهم عذاب اليم

"Or do they have partners for them legislating a religion that Allah did not give permission for at all. Had it not been for the word of decision and decree, the matter between them would have been judged. And truly, for the oppressors is a torturous punishment." [489]

---

[486] 1099-1182 AH/1688-1768 AD. This great scholar hailed from Yemen and was one of the famous imaam's from the Zaidiyyah group. He was known for many works, the most popular being, Tathir al`Itiqaad and Subul us-Salaam, which was an explanation of Ibn Hajar's رحمه الله Bulugh ulMaraam. He is well respected by the Ummah and is one of the highest authorities on the above subject.

[487] What this means is that he intends and means to speak the word of kufr and he is not under any coercion, nor is he mistaken.

[488] Tathir ul`Itiqaad, p.12

[489] Surat ush-Shura, ayah 21

There are many other evidences that we could give, but this should be enough for those that are looking for guidance, not arguments. This should serve a warning to those who join the rulers and the apostates, as they might very well become at a glance kuffar themselves without knowing.

And may Allah I give mercy to our brothers and sisters who will read this research carefully. Make du`aa for us, give us sincere advice and distribute the knowledge, so that we may all share in the reward.

و الحمد لله رب العالمين

Edited and completed: Summer 1999

<u>NOTE:</u> *Should the author and/or the editor ever fall into prison and/or be tortured and be forced to publicly renounce or speak against the principles of this research, or any of those previously released works by them, the general public is ordered to follow the evidence contained in the books and researches and* ***not*** *the contradictory words of the editor or the author that might arise; as these words were most likely made under the duress of torture or threats against the lives of their family, friends or themselves.*